

CITY OF MATTOON, ILLINOIS
CITY COUNCIL AGENDA
December 5, 2006

6:30 PM Work Study Caucus Session Discussion

- Pending Council Agenda Items

7:00 PM Business Meeting

Pledge of Allegiance

Roll Call

CONSENT AGENDA:

Items listed on the Consent Agenda are considered to be routine in nature and will be enacted by one motion. Prior to asking for a motion to approve the Consent Agenda, the mayor will ask if anyone desires to remove an item from the Consent Agenda for public discussion. No separate discussion of these items will occur unless a Council Member requests the item to be removed from the Consent Agenda. If an item is removed from the Consent Agenda, it will be considered elsewhere on the agenda for this meeting.

Minutes of the regular meeting November 21, 2006

Payroll and Bills for the last half of November

PUBLIC PRESENTATIONS, PETITIONS AND COMMUNICATIONS

This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meeting Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments.

Proclamation National Drunk & Drugged Driving (3D) Prevention Month – December 2006.

NEW BUSINESS:

Motion – Adopt Special Ordinance 2006-1186: Authorizing the sale of surplus real estate owned by the municipality at Lake Mattoon to Gary Swearingen and Tim Buford. (Schilling)

Motion – Approve Council Decision Request 2006-684: Approving specifications, a cost estimate and authorizing a solicitation for competitive bids for replacement of the Turnout Gear for the Fire Department. *The Fire Department has received a grant for \$50,500.00 from Homeland Security (FEMA) and has budgeted funds to cover the additional expense.* (Ervin)

- Motion – Approve Council Decision Request 2006-685: Authorizing the Mayor to sign the IDOT agreement and plan approval for City participation in the upgrade of the traffic signals at Lake Land Blvd. and Marshall Avenue. (McKenzie)**
- Motion – Adopt Resolution 2006-2673: Authorizing the \$5,750.00 Motor Fuel Tax fund expenditure for the traffic signal upgrades located at Lake Land Blvd./Marshall Avenue. (McKenzie)**
- Motion – Approve Council Decision Request 2006-686: Authorizing the Mayor to sign the IDOT agreement for federal participation in the 2007 Local Agency Pavement Preservation (LAPP) Project (Rudy Avenue, S. 14th Street, and S. 19th Street). (McKenzie)**
- Motion – Adopt Resolution 2006-2674: Authorizing the \$85,600.00 Motor Fuel Tax fund expenditure for 2007 LAPP Project (Rudy Avenue, S. 14th Street, and S. 19th Street). (McKenzie)**
- Motion – Approve Council Decision Request 2006-687: Approving the bid document and specifications for the 2007 Motor Fuel Tax Street Maintenance Program. (McKenzie)**
- Motion – Approve Council Decision Request 2006-688: Authorizing the Police Chief to purchase 25 mobile radios including removal/installation from Roy Walker Communications, Inc., Effingham, IL for the amount of \$35,155.00 to be paid from Federal Sharing Funds (Omega Account). (White)**
- Motion – Approve Council Decision Request 2006-689: Appointing Julie Wilkerson and Janahn Kolden, and re-appointing Scott Claypool and Beth Hildebrandt to the Mattoon Arts Council for two-year terms expiring on September 30, 2008. (Ervin)**
- Motion – Adopt Resolution 2006-2675: Authorizing an amendment to the agreement with CCRP-DC for GIS Support Services by extending the agreement to April 30, 2007. (White)**
- Motion – Adopt Resolution 2006-2676: Authorizing a \$20,000 maximum agreement with the Coles County Regional Planning & Development Commission for Technical Assistance for services to be rendered from December 1, 2006 to November 30, 2007 on a time and expense basis. (White)**
- Motion – Adopt Resolution 2006-2677: Authorizing a \$2,100 agreement with the Coles County Regional Planning & Development Commission for administration of the Mattoon Revolving Loan Fund for services to be rendered from December 1, 2006 to November 30, 2007 on a time and expense basis. (White)**
- Motion – Adopt Ordinance 2006-5222: Approving minor changes to the proposed I-57 East Redevelopment Project Area Redevelopment Plan and Project. (White)**
- Motion – Adopt Ordinance 2006-5223: Approving a Redevelopment Plan and Project for the I-57 East Redevelopment Project Area in the City of Mattoon, Coles County, Illinois. (White)**
- Motion – Adopt Ordinance 2006-5224: Designating the I-57 East Redevelopment Project Area for the City of Mattoon, Coles County, Illinois. (White)**
- Motion – Adopt Ordinance 2006-5225: Adopting Tax Increment Allocation Financing within the I-57 East Redevelopment Project Area. (White)**

Motion – Adopt Ordinance 2006-5226: Amending certain chapters of the City of Mattoon codification to increase the maximum amount of a purchase exempt from formal bidding procedures from \$10,000 to \$20,000. (White)

Recess to closed session pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)); the price for sale or lease of property (5 ILCS 120(2)(c)(6)); the purchase or lease of real property (5 ILCS 120(2)(c)(5)); and litigation affecting or on behalf of the City of Mattoon (5 ILCS 120/2(c)(11)). (White)

Reconvene

Adjourn

SOME DOCUMENTS MAY APPEAR FORMATTED DIFFERENTLY FROM THE
ORIGINAL DOCUMENTS. ADDITIONAL EXHIBITS MAY BE VIEWED AT
THE CITY CLERK'S OFFICE
208 NORTH 19TH STREET; MATTOON, IL 61938
MONDAY - FRIDAY 8:00 A.M. - 4:30 P.M.

UNAPPROVED MINUTES:

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on November 21, 2006 at 7:00 p.m. after a 6:30 p.m. caucus session.

Mayor White presiding.

Mayor White led the Pledge of Alliance.

The following members of the Council answered roll call: YEA Commissioner David Cline, YEA Commissioner Randy Ervin, YEA Commissioner Joseph McKenzie, YEA Commissioner David Schilling, YEA Mayor Charles E. White. All Council members attended in person.

Also in attendance were City personnel: City Administrator Alan Gilmore, City Attorney/Treasurer J. Preston Owen, Public Works Director David Wortman, Electrical Inspector Matt Frederick, Community Development Coordinator Kyle Gill, Library Director Jennie Cisna, Fire Chief Michael Chism, Deputy Police Chief David Griffith, and City Clerk Susan O'Brien.

CONSENT AGENDA:

Items listed on the Consent Agenda are considered to be routine in nature and will be enacted by one motion. Prior to asking for a motion to approve the Consent Agenda, the mayor will ask if anyone desires to remove an item from the Consent Agenda for public discussion. No separate discussion of these items will occur unless a Council Member requests the item to be removed from the Consent Agenda. If an item is removed from the Consent Agenda, it will be considered elsewhere on the agenda for this meeting.

Mayor White seconded by Commissioner Schilling moved to approve the consent agenda as follows: minutes of the regular meeting November 7, 2006 and payroll and bills for the first half of November.

Bills and payroll for the first half of Nov., 2006

General Fund

Payroll		\$ 281,545.22
Bills		\$ 87,227.53
	Total	\$ 368,772.75

Hotel Tax Fund

Payroll		\$ 1,610.54
Bills		\$ 557.30

	Total	\$ 2,167.84
	<u>Festival Management Fund</u>	
Bills		\$ 729.68
	Total	\$ 729.68
	<u>Insurance & Tort Judgment</u>	
Bills		\$ 450.00
	Total	\$ 450.00
	<u>Capital Project Fund</u>	
Bills		\$ 176.40
	Total	\$ 176.40
	<u>Water Fund</u>	
Payroll		\$ 29,281.04
Bills		\$ 296,899.11
	Total	\$ 326,180.15
	<u>Sewer Fund</u>	
Payroll		\$ 25,739.13
Bills		\$ 26,455.59
	Total	\$ 52,194.72
	<u>Cemetery Fund</u>	
Payroll		\$ 3,037.18
Bills		\$ 972.76
	Total	\$ 4,009.94
	<u>Motor Fuel Tax Fund</u>	
Bills		\$ 133,551.88
	Total	\$ 133,551.88
	<u>Health Insurance</u>	
Bills		\$ 70,547.93
	Total	\$ 70,547.93

Mayor White declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

PUBLIC PRESENTATIONS, PETITIONS AND COMMUNICATIONS

This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meeting Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic

or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments.

The City of Mattoon, Illinois held a public hearing on the eligibility report and redevelopment plan for the Mattoon I-57 East TIF District on November 21, 2006 in the City Hall Council Chambers. City Attorney/Treasurer J. Preston Owen opened the public hearing at 7:02 p.m. Attorney/Treasurer Owen described the events up to the eligibility report and redevelopment plan, including Resolution 2006-2660: Authorizing a feasibility study on the proposed I-57 East TIF District as a redevelopment project area and other related matters; Special Ordinance 2006-1160: Adopting the establishment of the tax increment financing (TIF) "Interested Parties" registries for the I-57 East TIF District; Resolution 2006-2664: Establishing the date, time, and place for a Public Hearing for the Proposed Mattoon I-57 East Tax Increment Finance District; all notices to taxing districts, residences, and property owners; Joint Review Board meeting of 10-12-06; and documents for public inspection in the City Clerk's Office.

Next, Beth Ruyle of Ehlers and Associates described the eligibility criteria as vacant land criteria with flooding in the watershed and the two other proofs of platting and evidence the "but for"; redevelopment plan and its conformity; the creation of a budget; and the creation of a convention center to provide employment opportunities.

The floor was opened for questions. Attorney/Treasurer Owen mentioned the land was annexed in 2004, platted in 2005, and information has been on file. Mr. Chris Rankin of the Coles County Leader and Mr. Herb Meeker of the Journal Gazette inquired about the flooding determination, vacant property, omitted property, and possible location of convention center. Ms. Ruyle and Attorney/Treasurer Owen answered the questions with Burke Engineering conducting an engineering study by modeling; definition of vacant land as land with no structures; the Ballinger family requested their property to be removed; and directed the media to contact Coles Centre with regard to the convention center location. With no additional questions, Attorney/Treasurer Owen closed the public hearing at 7:16 p.m.

Commissioner Ervin notified the public of updates on the Fire Department, consisting of a Mattoon/Charleston effort to improve both cities' ISO ratings; newly-formed RIT (Rapid Intervention Team); and long-term budgeting for new vehicles. Secondly, Commissioner Ervin updated the public on the Rotary Bandshell activities, scheduling issues, funding, and May through September usage. Thirdly, his update on Tourism consisted of a reminder of the Christmas parade; Santa arriving at the depot on December 10th; Lightworks from November 17 – December 26th; and the decision not to form a Convention Visitors Bureau with Charleston, due to unreliable State funding and the autonomy of each board. Finally, items for the Council to consider were sidewalk replacement and the implementation of the Mid-town Redevelopment Plan. Director Wortman responded to the sidewalk replacement with the City would reimburse for the concrete. Commissioner McKenzie acknowledged all City vehicles needed to be on a replacement program. Attorney/Treasurer Owen stated that Judy Winn had a list of vehicles and a replacement date for each of the vehicles. Director Wortman responded with his five-year replacement program for public works.

NEW BUSINESS

Mayor White seconded by Commissioner Cline moved to adopt Special Ordinance 2006-1183, approving the re-plat of Outlot 1, Block 1 of McFall/Swords Commercial/Residential Development, located east of the former Kmart property and now owned by Thompson Thrift.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1183

An Ordinance re-plating Outlot 1 of McFall/Swords Commercial/Residential Development, of the City of Mattoon, Coles County, Illinois.

Whereas; Thompson Thrift Management Inc. as owner of the following described property:

OUTLOT 1, BLOCK 1, OF MCFALL/SWORDS COMMERCIAL/RESIDENTIAL DEVELOPMENT, CITY OF MATTOON, COLES COUNTY, ILLINOIS

has caused said premises to be surveyed and subdivided into lots as shown on the plat submitted to the City Council for approval in accordance with the Statute of the State of Illinois in such made and provided; and

Whereas, said re-plat of Outlot 1 of McFall/Swords Commercial/Residential Development, of the City of Mattoon, Coles County, Illinois has been submitted to the City Council of the City of Mattoon for approval in the manner as by law required, which re-plat is attached hereto as Exhibit "A" and made a part hereof by reference thereto; and

Whereas, it appears from an examination of said plat that the same is in due form as required by law and complies with all rules, regulations, and requirements relative to subdivisions in the City of Mattoon, Illinois, and that by said plat, should be approved.

Now, therefore, be it ordained by the City Council of the City of Mattoon, Coles, County, Illinois, that said re-plat of Outlot 1 of McFall/Swords Commercial/Residential Development, of the City of Mattoon, Coles County, Illinois, be and the same is hereby approved; that a certificate of such approval be endorsed upon said plat signed by the Mayor and the City Clerk in the manner as provided by law; and that this Ordinance be duly and properly signed and filed of record.

Upon motion by Mayor White, seconded by Commissioner Cline, adopted this 21st day of November, 2006, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 21st day of November, 2006.

/s/ Charles E. White
Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on November 22, 2006.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner McKenzie moved to adopt Resolution 2006-2671, declaring surplus real estate owned by the municipality at Lake Mattoon and authorizing the sale of the property.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2006-2671

A RESOLUTION DECLARING THAT 0.168 ACRES OF REAL ESTATE AT LAKE MATTOON IS NO LONGER NECESSARY OR REQUIRED FOR USE OF THE MUNICIPALITY AND AUTHORIZING THE MANAGEMENT STAFF TO NEGOTIATE FOR A CONTRACT PROPOSAL TO SELL THIS REAL ESTATE

WHEREAS, in the 1950's the City of Mattoon purchased large parcels of land in Coles, Cumberland and Shelby Counties for the purposes of establishing Lake Mattoon; and

WHEREAS, after the construction of Lake Mattoon some small tracts of the large parcels remained unused and were isolated by the lake and parcels of land owned by other landowners; and

WHEREAS, the tract of land described below is one of those tracts; and

WHEREAS, there has been an appraisal of this tract, which includes a survey, and it is attached hereto and incorporated herein by this reference; and

WHEREAS, the adjacent landowner desires to acquire a fee simple interest in said real estate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Pursuant to procedures prescribed by state statute (65 ILCS 5/11-76-4.1), a finding is hereby made by the City Council that the following described real estate at Lake Mattoon is no longer necessary or required for the use of the municipality.

A part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section Thirty-Six

(36), Township Eleven (11) North, Range Six (6) East of the Third Principal Meridian being more particularly described as follows:

Commencing at the northwest corner of the of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section Thirty-Six (36), Township Eleven (11) North, Range Six (6) East of the Third Principal Meridian; thence South 89 degrees 33 minutes 36 seconds East (based on previous local surveys) a distance of 462.00 feet; thence South 0 degrees 00 minutes 36 seconds East a distance of 880.68 feet to the place of beginning; thence North 83 degrees 03 minutes 19 seconds East a distance of 20.78 feet; thence South 81 degrees 13 minutes 10 seconds East a distance of 18.43 feet; thence South 43 degrees 37 minutes 10 seconds East a distance of 15.39 feet; thence South 16 degrees 58 minutes 19 seconds East a distance of 39.20 feet, thence South 28 degrees 19 minutes 17 seconds East a distance of 69.40 feet, thence North 89 degrees 33 minutes 43 seconds West a distance of 93.81 feet, thence North 0 degrees 00 minutes 36 seconds West a distance of 109.31 feet to the place of beginning; situated in Ash Grove Township, Shelby County, Illinois and containing 7310 square feet (.168 acres) more or less.

Section 2. Its fair market value has been determined to be \$3,655 by a written appraisal prepared by a licensed real estate appraiser that is available for public inspection. The property is currently vacant and is impaired by a lack of accessibility.

Section 3. The management staff of the municipality is hereby authorized to negotiate for a contract proposal to sell said real. Any such contract negotiated shall be subject to ratification by the City Council.

Section 4. The city clerk is directed to publish a copy of this resolution at the first opportunity following its adoption and approval by the City Council.

Upon motion by Commissioner Schilling, seconded by Commissioner McKenzie, adopted this 21st day of November, 2006, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Cline, Commissioner Ervin,</u> <u>Commissioner McKenzie, Commissioner Schilling</u> <u>Mayor White</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 21st day of November, 2006.

/s/ Charles E. White
Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on November 22, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Ervin seconded by Commissioner Cline moved to approve Council Decision Request 2006-683, authorizing the Fire Chief to hire Jason Weiss as a probationary firefighter to fill the vacancy created upon the upgrade of Engineer Melvin Pierce. The new firefighter shall be scheduled to start work on 11/22/2006.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner McKenzie moved to adopt Ordinance 2006-5220, authorizing the amendment of Ordinance 2003-5161, the updating of the City's Electrical Code, to provide for further local amendments.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2006-5220

AN ORDINANCE AMENDING ORDINANCE 2003-5161, THE UPDATING OF THE CITY'S ELECTRICAL CODE, ADOPTING ARTICLE 80 OF THE NATIONAL ELECTRICAL CODE WITH LOCAL AMENDMENTS, PROVIDING FOR THE REGISTRATION OF ELECTRICAL CONTRACTORS AND ESTABLISHING FEES FOR ELECTRICAL PERMITS

WHEREAS, the City of Mattoon has previously acknowledged the need for and has adopted codes to regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of electrical systems in the City of Mattoon; and

WHEREAS, by Ordinance No. 2003-5161, Mattoon adopted regulations updating the City's Electrical Code, adopting article 80 of the National Electrical Code with local amendments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MATTOON DOES ORDAIN AS FOLLOWS:

Section 1. The National Electric Code® (NEC®), as it may be amended from time to time, is hereby adopted as the code of the City of Mattoon for regulating the design, construction, quality of materials, erection, installation, alternation, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems in the City of Mattoon.

Section 2. The following sections of the NEC® are hereby superceded by local amendment.

A. **110.12 Mechanical Execution of Work.** *Electrical equipment, as defined in the NEC, shall be installed in a neat and workmanlike manner.*

(1) *Neat and workmanlike manner will be reasonably determined by the electrical inspector.*

(2) Neat and workmanlike includes but is not limited to; proper bends in conduit, proper support, and the elimination of exposed cable runs, field-bent, kinked, flattened, or poorly measured raceway, as well as cabinets, boxes, and enclosures not plumb or properly secured.

B. **230.70(A) (1) Service Disconnect.** The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure or inside nearest the point of entrance of the service conductors. Except where an electric utility may prescribe more stringent requirements, in locations where the main panel is greater than 15-cable feet from the meter, a weatherproof protective disconnect shall be installed adjacent to the meter installation.

C. **250.66 Size of alternating-current grounding electrode conductor.** All new single phase wiring done will be four-wire with a grounding conductor sized in accordance with table 250.66 in the 2005 NEC. All Three Phase WYE systems will have a separate grounding conductor sized as well.

(1) It will not be acceptable to use a metallic raceway for grounding conductor purposes.

D. **334.10 Nonmetallic-sheathed Cable Uses Permitted.** Type NM, Type NMC and Type NMS nonmetallic-sheathed cable may ONLY be used in one and two-family dwellings and residential garages. Furthermore this cable shall be sized no smaller than #12, unless on a switched leg, or by special permission of the electrical inspector.

(1) Unless special permission is granted, anything other than the installations mentioned above shall be installed in approved metallic raceway, no smaller than metric designator 16 (trade size 1/2").

(2) Metallic sheathed cable of metric designator 12 (trade size 3/8") may be used in no lengths greater than 6', and where not exposed to physical damage, to facilitate the wiring of branch circuit receptacles, and lighting whip assemblies. Longer lengths may be permitted with special permission of the electrical inspector.

Upon motion by Mayor White, seconded by Commissioner McKenzie, adopted this 21st day of November, 2006, by roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 21st day of November, 2006.

/s/ Charles E. White
Charles E. White, Mayor

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on November 22, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner McKenzie seconded by Commissioner Schilling moved to amend the agenda regarding Resolution 2006-2672 to replace "for the striping of Dettro Drive, Swords Drive, Fort Worth Way, and Remington Road" with "for the 2004 LAPP projects".

Mayor White declared the motion to amend Resolution 2006-2672 carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner McKenzie seconded by Commissioner Ervin moved to adopt Resolution 2006-2672, approving the supplemental expenses for the 2004 LAPP projects with Motor Fuel Tax Funds in the amount of \$10,000 as amended.

RESOLUTION NO. 2006-2672



**Illinois Department
of Transportation**

**Resolution for Improvement by
Municipality Under the Illinois
Highway Code**

BE IT RESOLVED, by _____ of the
_____ Council or President and Board of Trustees
of _____ Illinois

City, Town or Village
that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall _____

_____ and shall be _____ wide
and be designated as _____

2. That there is hereby appropriated the (additional ☐ Yes ☒ _____
_____ Dollars _____) for
improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done _____ ;

Specify Contract or Day Labor
BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Authorized MFT Expenditure	I, _____ Clerk in and for
	_____ of _____
	City, Town or _____ , hereby certify
Date	_____
	foregoing to be a true, perfect and complete copy of a resolution
	by _____
Department of Transportation	_____ Council or President and Board of Trustees
	at a meeting _____
	_____ Date
	IN TESTIMONY WHEREOF, I have hereunto set my hand and
	_____ day of _____
Regional Engineer	_____
	(SEAL)
	_____/s/ Susan J. O'Brien
	City, Town, or Village Clerk

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Schilling moved to adopt Ordinance 2006-5221, amending Chapter 114.53 of the Mattoon Code of Ordinances to prevent the distribution of liquor by licensees after permitted operating hours.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2006-5221

**AN ORDINANCE AMENDING CHAPTER 114.53 OF THE MATTOON CODE
OF ORDINANCES TO PREVENT THE DISTRIBUTION OF LIQUOR BY
LICENSEES AFTER PERMITTED OPERATING HOURS**

WHEREAS, it's been discovered that Mattoon's Code of Ordinances regarding the hours licensees are allowed to operate has a loop hole in that it allows licensees to provide liquor to guests after the operating hours listed in the current Code of Ordinances; and

WHEREAS, The City Council had adopted the operating hours for establishments serving liquor in order to protect the public, and;

WHEREAS, the City Council believes that this loop hole endangers the public and therefore should be closed.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. Chapter 114.53 of the Mattoon Code of Ordinances is amended by repealing all of said Chapter and adopting in lieu thereof a new Chapter 114.53 as shown below.

§ 114.53 CLOSING HOURS.

(A) It shall be unlawful for any licensee to sell, offer for sale at retail, serve, dispense, or provide free of charge, any alcoholic liquor in the city between the hours of 1:00 a.m. and 6:00 a.m. of any day except Sunday, when it shall be unlawful to sell or offer for sale, any alcoholic liquor from 1:00 a.m. on Sunday morning until 12:00 noon on the same Sunday.

(B) It shall be unlawful to keep open for business, or admit the public to any licensed premises where alcoholic liquor is sold at retail, during the hours the sale of such liquor is prohibited; provided, however, that in the case of restaurants, grocery stores, clubs and hotels, hall rental businesses and other separate business conducted on said premises, such establishment may be kept open during such hours, but no alcoholic liquor may be sold during said hours.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective at 12:01 a.m. on Friday December 1, 2006.

Upon motion by Mayor White, seconded by Commissioner Schilling, adopted this 21st day of November, 2006, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
 Commissioner McKenzie, Commissioner Schilling,
 Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 21st day of November, 2006.

/s/ Charles E. White

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on November 22, 2006.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Cline seconded by Commissioner Ervin moved to adopt Special Ordinance 2006-1184, authorizing a renewal contract with PersonalCare Insurance of Illinois, Inc. for the Administration of the self-insured health plan for employees and retirees of the municipality.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1184

**AN ORDINANCE AUTHORIZING A RENEWAL AGREEMENT WITH PERSONALCARE
INSURANCE OF ILLINOIS FOR THE ADMINISTRATION OF THE SELF-FUNDED
MEDICAL AND PHARMACY BENEFIT PLAN FOR EMPLOYEES AND RETIREES OF THE
MUNICIPALITY**

WHEREAS, the City of Mattoon, Illinois employee and retiree group has demonstrated exceptional health insurance experience, and

WHEREAS, this group health insurance history has resulted in favorable renewal premium rates, and

WHEREAS, it is the desire of the Mattoon City Council to maintain and continue the relationship with the Personal Care Insurance of Illinois and Delta Dental plans currently offered through the Checkley Agency to its employees and retirees, and

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The mayor is authorized to sign a renewal agreement with PersonalCare Insurance of Illinois, Inc. for the administration of the self-funded medical and pharmacy benefit plan and the Delta Dental plan for employees and retirees of the municipality, copies of which are attached and incorporated by reference.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Cline, seconded by Commissioner Ervin, adopted this 21st day of November, 2006, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling,
Mayor White
NAYS (Names): None
ABSENT (Names): None

Approved this 21st day of November, 2006.

/s/ Charles E. White
Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on November 22nd, 2006.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Cline seconded by Commissioner McKenzie moved to adopt Special Ordinance 2006-1185, binding annual property and casualty insurance and workers compensation coverage for a term beginning December 1, 2006.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1185

AN ORDINANCE AUTHORIZING PLACEMENT OF THE CITY'S PROPERTY & CASUALTY, AND WORKERS COMPENSATION INSURANCE COVERAGE

WHEREAS, Mesirow Insurance Services, the City's broker of record, solicited proposals from insurance companies that underwrite property & casualty and workers compensation insurance for municipal government exposures; and

WHEREAS, a proposal received from the Illinois Counties Risk Management Trust (ICRMT) is regarded to be the most cost effective solution for managing the City's property & casualty and workers compensation exposures; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. Mesirow Insurance Services is hereby authorized to take such administrative action necessary to bind the City of Mattoon's property & casualty and workers compensation insurance coverage with the Illinois Counties Risk Management Trust (ICRMT) for the policy year beginning December 1, 2006 and ending December 1, 2007 pursuant to a proposal attached hereto and incorporated herein by reference.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Cline, seconded by Commissioner McKenzie, adopted this 21st day of November 2006, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Cline, Commissioner Ervin,</u> <u>Commissioner McKenzie, Commissioner Schilling</u>
	<u>Mayor White</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 21st day of November, 2006.

/s/ Charles E. White
Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

<u>/s/ Susan J. O'Brien</u> Susan O'Brien, City Clerk	<u>/s/ J. Preston Owen</u> J. Preston Owen, City Attorney
----------------------------------------------------------	--------------------------------------------------------------

Recorded in the Municipality's Records on November 22nd, 2006.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White opened the floor for further questions. There was no public discussion.

Mayor White seconded by Commissioner Cline moved to recess to closed session at 7:40 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering purchase or lease of real property (5 ILCS 120(2)(c)(5)); the price for sale or lease of property (5 ILCS 120(2)(c)(6)).

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Council reconvened at 7:55 p.m.

Mayor White seconded by Commissioner Schilling moved to adjourn at 7:55 p.m.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

/s/ Susan J. O'Brien
City Clerk

CITY OF MATTOON
12-1-06 PAYROLL
11-11-06/11-24-06

	G/L ACCOUNT	ACCOUNT NAME	AMOUNT
CITY COUNCIL	110 5110-111	SALARIES OF REG EMPLOYEES	1,476.91
CITY CLERK	110 5120-111	SALARIES OF REG EMPLOYEES	4,334.84
	110 5120-114	COMPENSATED ABSENCES	277.06
CITY ADMINISTRATOR	110 5130-111	SALARIES OF REG EMPLOYEES	3,076.92
FINANCIAL ADMINISTRATION	110 5150-111	SALARIES OF REG EMPLOYEES	935.07
	110 5150-114	COMPENSATED ABSENCES	171.48
LEGAL SERVICES	110 5160-111	SALARIES OF REG EMPLOYEES	1,932.22
	110 5160-114	COMPENSATED ABSENCES	350.45
COMPUTER INFO SYSTEMS	110 5170-111	SALARIES OF REG EMPLOYEES	2,932.67
PLANNING & ZONING	110 5180-111	SALARIES OF REG EMPLOYEES	1,563.08
	110 5180-114	COMPENSATED ABSENCES	28.60
POLICE ADMINISTRATION	110 5211-111	SALARIES OF REG EMPLOYEES	8,044.35
CRIMINAL INVESTIGATION	110 5212-111	SALARIES OF REG EMPLOYEES	6,176.42
	110 5212-113	OVERTIME	503.79
	110 5212-114	COMPENSATED ABSENCES	3,705.89
PATROL	110 5213-111	SALARIES OF REG EMPLOYEES	60,573.30
	110 5213-113	OVERTIME	2,426.41
	110 5213-114	COMPENSATED ABSENCES	38,497.58
K-9 SERVICE	110 5214-111	SALARIES OF REG EMPLOYEES	1,982.39
	110 5214-114	COMPENSATED ABSENCES	1,189.44
POLICE RECORDS	110 5216-111	SALARIES OF REG EMPLOYEES	3,498.38
TRAFFIC CONTROL	110 5220-111	SALARIES OF REG EMPLOYEES	360.00
COMMUNICATION SERVICES	110 5222-111	SALARIES OF REG EMPLOYEES	7,464.26
	110 5222-113	OVERTIME	311.05
SCHOOL RESOURCE PROGRAM	110 5227-111	SALARIES OF REG EMPLOYEES	2,001.46
	110 5227-114	COMPENSATED ABSENCES	1,200.86
FIRE PROTECTION ADMIN	110 5241-111	SALARIES OF REG EMPLOYEES	69,962.90
	110 5241-113	OVERTIME	2,883.07
	110 5241-114	COMPENSATED ABSENCES	5,865.61
CODE ENFORCEMENT ADMIN	110 5261-111	SALARIES OF REG EMPLOYEES	3,236.24
	110 5261-114	COMPENSATED ABSENCES	28.61
EMERGENCY PLANNING	110 5270-111	SALARIES OF REG EMPLOYEES	1,187.29
PUBLIC WORKS ADMIN	110 5310-111	SALARIES OF REG EMPLOYEES	4,020.41
	110 5310-114	COMPENSATED ABSENCES	342.10
STREETS	110 5320-111	SALARIES OF REG EMPLOYEES	21,850.49
	110 5320-113	OVERTIME	1,069.00
	110 5320-114	COMPENSATED ABSENCES	14,160.39
YARD WASTE COLLECTION	110 5335-111	SALARIES OF REG EMPLOYEES	459.76
	110 5335-112	SALARIES OF TEMP EMPLOYEES	1,006.50
CONSTRUCTION INSPECTION	110 5370-111	SALARIES OF REG EMPLOYEES	3,036.79
	110 5370-112	SALARIES OF TEMP. EMPLOYEES	362.25
CUSTODIAL SERVICES	110 5381-111	SALARIES OF REG EMPLOYEES	1,757.61
	110 5381-113	OVERTIME	73.44
	110 5381-114	COMPENSATED ABSENCES	518.96
EQUIPMENT MAINTENANCE	110 5390-111	SALARIES OF REG EMPLOYEES	1,193.95
	110 5390-113	OVERTIME	92.19
PARK ADMINISTRATION	110 5511-111	SALARIES OF REG EMPLOYEES	6,686.69
	110 5511-112	SALARIES OF TEMP EMPLOYEES	640.00
	110 5511-113	OVERTIME	820.20
LAKE ADMINISTRATION	110 5512-111	SALARIES OF REG EMPLOYEES	1,827.47
	110 5512-112	SALARIES OF TEMP EMPLOYEES	80.00
		*** FUND 110 TOTALS ***	298,176.80
HOTEL TAX ADMINISTRATION	122 5653-111	SALARIES OF REG EMPLOYEES	1,706.54
		*** FUND 122 TOTALS ***	1,706.54
WATER TREATMENT PLANT	211 5353-111	SALARIES OF REG EMPLOYEES	9,477.28
	211 5353-113	OVERTIME	281.09
	211 5353-114	COMPENSATED ABSENCES	4,277.81
WATER DISTRIBUTION	211 5354-111	SALARIES OF REG EMPLOYEES	5,003.64
	211 5354-113	OVERTIME	476.11

ACCOUNTING & COLLECTION	211 5355-111	SALARIES OF REG EMPLOYEES	3,433.06
	211 5355-114	COMPENSATED ABSENCES	302.69
ADMINISTRATIVE & GENERAL	211 5356-111	SALARIES OF REG EMPLOYEES	2,923.72
	211 5356-114	COMPENSATED ABSENCES	953.94
*** FUND 211 TOTALS ***			27,129.34
SANITARY SWR MTCE & CLEAN	212 5342-111	SALARIES OF REG EMPLOYEES	3,559.24
	212 5342-113	OVERTIME	102.32
WASTEWATER TREATMENT PLANT	212 5344-111	SALARIES OF REG EMPLOYEES	11,652.84
	212 5344-113	OVERTIME	22.87
	212 5344-114	COMPENSATED ABSENCES	394.02
ACCOUNTING & COLLECTION	212 5345-111	SALARIES OF REG EMPLOYEES	2,751.95
	212 5345-114	COMPENSATED ABSENCES	302.70
ADMINISTRATIVE & GENERAL	212 5346-111	SALARIES OF REG EMPLOYEES	2,923.72
	212 5346-114	COMPENSATED ABSENCES	953.94
*** FUND 212 TOTALS ***			22,663.60
MAINTENANCE & OPERATIONS	213 5361-111	SALARIES OF REG EMPLOYEES	3,037.18
*** FUND 213 TOTALS ***			3,037.18
*** GRAND TOTALS ***			352,713.46

*** PAY CODE TOTALS ***

	PAY CODE	NO# TIMES	HOURS	AMOUNT
REG	REGULAR PAY	24	1,979.50	36,498.40
HOL	HOLIDAY PAY-REG	31	2,336.00	54,347.75
SICK	SICK PAY-AFSCME	7	144.50	2,959.27
VAC	VACATION PAY	12	287.50	7,229.97
SAL	SALARY PAY	56	11,761.95	232,196.58
HOT	HOLIDAY PAY-OT	14	216.00	6,080.35
SHFP	SHIFT PAY	4	313.00	219.10
OT	OVERTIME PAY	28	318.75	9,371.82
CTP	COMP PAID	0	41.00	509.95
SHFT	SHIFT PAY	3	454.00	272.40
CLTH	CLOTHING ALLOWANCE	1		433.36
SKNU	SICK-NON UNION	3	40.00	650.68
CTE	COMP EARNED	0	9.00	0.00
FUS	SICK-FD UNION	2	96.00	1,866.32
SOTP	STRAIGHT OT POLICE	0	3.00	77.51

To see the bills for this council meeting open “2006120506CPBills.pdf,” which is on the City Council meeting packet web page (<http://www.mattoonillinois.org/packets.shtml>).

NEW BUSINESS:

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2006-1186

**AN ORDINANCE AUTHORIZING SALE OF SURPLUS REAL ESTATE OWNED BY THE
MUNICIPALITY AT LAKE MATTOON TO GARY SWEARINGEN AND TIM BUFORD**

WHEREAS, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

WHEREAS, by Resolution 2006-2671, adopted November 21, 2006, the City Council made a finding that the real estate owned by the municipality that is the subject of this ordinance is no longer necessary or required for the use of the municipality; and

WHEREAS, said resolution authorized the management staff to solicit offers for the sale of this real estate provided that any such sale shall be subject to ratification by a special ordinance of the City Council; and

WHEREAS Gary Swearingen and Tim Buford have made an offer to purchase the property for \$3,655; and

WHEREAS, Gary Swearingen and Tim Buford own the adjacent property and their property is capable of providing the best access to property being sold; and

WHEREAS, Robert D. Becker of Corrie Appraisal & Consulting, Inc. determined \$3,655 was the fair market value of the real estate as of October 16, 2006.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The city attorney is authorized to prepare closing documents and the mayor and city clerk are authorized to sign documents conveying a warranty deed to the real estate described in Section 3 of this ordinance to Gary Swearingen and Tim Buford, subject to a payment in the amount of \$3,655. The purchase price will be due at closing. Gary Swearingen and Tim Buford shall assume financial responsibility for the costs of the final search, policy fee and a \$3,655 title insurance policy issued by Wetzel Land Title Services, Inc. that insures Buyer that the municipality has sufficient title to sell this real property. The City of Mattoon will pay for the preliminary title search completed by Wetzel Land Title Services, Inc., and;

Section 2. The real estate to be conveyed pursuant to this ordinance is legally described as:

A part of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section Thirty-Six (36), Township Eleven (11) North, Range Six (6) East of the Third Principal Meridian being more particularly described as follows:

Commencing at the northwest corner of the of the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section Thirty-Six (36), Township Eleven (11) North, Range Six (6) East of the Third Principal

Meridian; thence South 89 degrees 33 minutes 36 seconds East (based on previous local surveys) a distance of 462.00 feet; thence South 0 degrees 00 minutes 36 seconds East a distance of 880.68 feet to the place of beginning; thence North 83 degrees 03 minutes 19 seconds East a distance of 20.78 feet; thence South 81 degrees 13 minutes 10 seconds East a distance of 18.43 feet; thence South 43 degrees 37 minutes 10 seconds East a distance of 15.39 feet; thence South 16 degrees 58 minutes 19 seconds East a distance of 39.20 feet, thence South 28 degrees 19 minutes 17 seconds East a distance of 69.40 feet, thence North 89 degrees 33 minutes 43 seconds West a distance of 93.81 feet, thence North 0 degrees 00 minutes 36 seconds West a distance of 109.31 feet to the place of beginning; situated in Ash Grove Township, Shelby County, Illinois and containing 7310 square feet (.168 acres) more or less.

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law.

Upon motion by _____, seconded by _____, adopted this _____ day of _____, 2006, by a roll call vote, as follows:

AYES (Names): _____

NAYS (Names): _____

ABSENT (Names): _____

Approved this _____ day of _____, 2006.

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on _____, 2006.

**City of Mattoon
Council Decision Request**

CDR NO: 2006-684

SUBJECT:

FEMA Grant Purchase to Replace Fire Turnout Gear

SUBMITTAL DATE: 11/27/06

SUBMITTED BY: Mike Chism, Fire Chief, Mattoon Fire Department

APPROVED FOR: Alan Gilmore
COUNCIL AGENDA: City Administrator

Date

EXHIBITS (If applicable): Specifications for Fire Department Turnout Gear.

EXPENDITURE
ESTIMATE: \$4,500.00

AMOUNT C
BUDGETED: \$5,000.00

CONTINGENCY FUNDING
00 REQUIRED: N/A

IF IT IS THE WISH OF THE COUNCIL TO SUPPORT RECOMMENDATIONS CONTAINED IN THIS REPORT, THE FOLLOWING MOTION IS SUGGESTED:

“I move to authorize the Fire Chief to advertise for bids using the attached specifications for replacement of the Turnout Gear for the Fire Department. The Fire Department has received a grant for \$50,500.00 from Homeland Security and has budgeted funds to cover the additional expense.”

SUMMARY OF THE TOPIC FOR WHICH A COUNCIL DECISION IS REQUESTED:

The current turn-out gear used by Mattoon Fire Fighters is rapidly approaching the end of its' useful life expectancy. All of the Department's gear was purchased at the same time in 1998/1999. Each year several sets of gear are returned to the manufacturer for repairs. Each year more and more sets are unable to be repaired and must be replaced. Due to recent changes in National Fire Protection Association (NFPA) standards for personal protective gear the department's current gear no longer meets these standards.

MEETING DATE: 12/5/2006 CDR NO: 2006-685

SUBJECT: Agreement between City and IDOT for the upgrade of traffic signals at Lake
Land Blvd and Marshall Avenue

SUBMITTAL DATE: November 28, 2006

SUBMITTED BY: David Wortman, Public Works Director

EXHIBITS (If applicable): IDOT Agreement

EXPENDITURE	AMOUNT	CONTINGENCY FUNDING
ESTIMATE: \$5,700	BUDGETED: Next Year	REQUIRED: N/A

IF IT IS THE WISH OF THE COUNCIL TO SUPPORT RECOMMENDATIONS CONTAINED IN THIS REPORT, THE FOLLOWING MOTION IS SUGGESTED:

“I move to authorize the Mayor to sign the attached IDOT agreement and plan approval for City participation in the upgrade of the traffic signals at Lake Land Blvd and Marshall Avenue”

SUMMARY OF THE TOPIC FOR WHICH A COUNCIL DECISION IS REQUESTED:

The attached agreement must be signed by the mayor and submitted to IDOT in order to for IDOT to proceed with the upgrade to the traffic signals at Lake Land Blvd and Marshall Avenue.

The top of page two of the agreement shows the projects estimated total cost and the city portion of that cost. The total project is \$115,000 of which the city will spend \$5,750 of MFT fund money.

Plans are available in my office if you want more information on this project.

FAP Route 824 (US 45 & Marshall)
Section: D-7 Signal Mod. 2007-1
City Section
Coles County
Job No. C-97-077-06
Agreement No. 707 002
Contract No. 74025

AGREEMENT

This agreement entered into this day of , AD, 20 , by and between the STATE OF ILLINOIS, acting by and through its DEPARTMENT OF TRANSPORTATION hereinafter called the STATE, and the CITY OF MATTOON, of the State of Illinois, hereinafter called the CITY.

WITNESSETH:

WHEREAS, the STATE in order to facilitate the free flow of traffic and insure safety to the motoring public, is desirous of improving the intersection of Lakeland Blvd. (US 45 FAP Route 824, US Route 45, City Section) and Marshall Avenue by installing mast arms, traffic signal heads, pedestrian signal heads and push buttons and all other work necessary to complete this section.

WHEREAS, the CITY is desirous of said improvement in that same will be of immediate benefit to the CITY residents and permanent in nature;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. The STATE agrees to make the surveys, obtain all necessary rights of way, prepare plans and specifications, receive bids and award the contract, furnish engineering inspection during construction and cause the improvement to be built in accordance with the plans, specifications and contract.
2. The STATE agrees to pay for all right-of-way, construction and engineering costs, including the cost of railroad adjustments, subject to reimbursement by the CITY as hereinafter stipulated.
3. It is mutually agreed by and between the parties hereto that the estimated cost and cost proration for this improvement is as follows:

Type of Work	FEDERAL		STATE		CITY		TOTAL
	Cost	%	Cost	%	Cost	%	
All constr. costs excluding The following							
Traffic Signal	\$90,000	90	\$ 5,000	5	\$ 5,000	5	\$ 100,000
Marshall Ave and US 45						NA	

FILE COPY

Sub Total	\$90,000	\$ 5,000	\$ 5,000	\$ 100,000
P&C Engr. 15%	\$13,500	\$ 750	\$ 750	\$ 15,000
Total	\$103,500	\$ 5,750	\$ 5,750	\$ 115,000

Participation and reimbursement shall be predicated by the percentages shown above for the specified work. Cost shall be determined by multiplying the final quantities by the contract unit prices plus 15% for construction and preliminary engineering.

4. The CITY has passed a resolution appropriating sufficient funds to pay its share of the cost for this improvement, a copy of which is attached hereto as "Exhibit A" and made a part hereof.
5. The CITY further agrees that upon award of the contract for this improvement, the CITY of MATTOON will pay to the DEPARTMENT OF TRANSPORTATION of the STATE OF ILLINOIS in a lump sum from any funds allotted to the CITY of MATTOON an amount equal to 85% of its obligation incurred under this AGREEMENT, and will pay to the said DEPARTMENT the remainder of the obligation (including any non-participating costs on FA Projects) in a lump sum, upon completion of the project based upon final costs.
6. The CITY further agrees to pass a supplemental resolution to provide necessary funds for its share of the cost of this improvement if the amount appropriated in "Exhibit A" proves to be insufficient, to cover said cost.
7. The CITY shall exercise its franchise rights to cause private utilities to be relocated, if required, at no expense to the STATE.
8. The CITY agrees to cause its utilities installed on right of way after said right of way was acquired by the STATE or installed within the limits of a roadway after the said roadway's jurisdiction was assumed by the STATE, to be relocated and/or adjusted, if required, at no expense to the STATE.
9. Upon acceptance by the STATE of the traffic signal work included herein the responsibility for maintenance and energy shall continue to be as outlined in the Master Agreement executed by the STATE and the CITY on August 16, 2001
10. The CITY certifies that 37-6000648 is their correct Federal Taxpayer identification Number and they are doing business is a Municipality
11. The CITY agrees to provide written approval of that portion of the plans and specifications relative to the CITY financial and maintenance obligations described herein, prior to the STATE'S advertising for the aforescribed proposed improvement, a copy of which is attached as Exhibit C.
12. Obligations of the STATE and CITY will cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or Federal funding source fails to appropriate or otherwise make available funds for this contract.

This AGREEMENT and the covenants contained herein shall be null and void in the event the contract covering the construction work contemplated herein is not awarded within the three years subsequent to execution of the agreement.

This agreement shall be binding upon and to the benefit of the parties hereto, their successors and assigns.

Attest:

Clerk

(SEAL)

CITY OF MATTOON

By: _____

TITLE: _____

Date: _____

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: _____
Regional Engineer

Date: _____

Exhibit C

PLAN APPROVAL

WHEREAS, State of Illinois in order to facilitate the free flow of traffic and insure safety to the motoring public, is desirous of improving the intersection of US 45 (FAP Route 824, US Route 45, City Section) and Marshall Avenue by installing mast arms, traffic signal heads, pedestrian signal heads and push buttons and all other work necessary to complete this section.

The CITY of MATTOON hereby gives written approval of that portion of the plans and specifications relative to the CITY financial and maintenance obligations.

APPROVED: _____, 2006

City of Mattoon

Attest:

By: _____

Clerk

TITLE: _____

Date: _____

(SEAL)

RESOLUTION NO. 2006-2673



**Illinois Department
of Transportation**

**Resolution for Improvement by
Municipality Under the Illinois
Highway Code**

BE IT RESOLVED, by the City Council of the _____ of the _____

City _____ of Mattoon Illinois
City, Town or Village

that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
Lake Land Blvd	US RT 45	Marshall Avenue	

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of Lake Land Blvd(US Rt. 45) and Marshall Avenue - traffic
signal update

_____ and shall be constructed _____ wide

and be designated as Section D7Signal Mod.2007-1 (City 06-00153-00TL)

2. That there is hereby appropriated the (additional ☐ Yes ☒ No) sum of five thousand seven hundred and
fifty dollars Dollars (\$5,750.00) for the

improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by Contract No. 74025 ; and

Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district of _____ of the Department of Transportation.

Authorized MFT Expenditure

Date

Department of Transportation

I, Susan J. O'Brien Clerk in and for the _____

City _____ of Mattoon

City, Town or Village

County of Coles , hereby certify that

foregoing to be a true, perfect and complete copy of a resolution adopted

by the Council

Council or President and Board of Trustees

at a meeting on December 5, 2006

<div style="text-align: center;">Regional Engineer</div>		<div style="text-align: right; font-size: small;">Date</div> <div style="text-align: center;"> IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 6th day of December, 2006 (SEAL) </div> <div style="text-align: right; border-top: 1px solid black; margin-top: 20px;"> City, Town, or Village Clerk </div>
----------------------------------------------------------	--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

MEETING DATE: 12/5/2006 CDR NO: 2006-686

SUBJECT: Agreement between City and IDOT allowing the expenditure of the City's STU funds for the Rudy Ave, South 14th Street, and South 19th Street L.A.P.P. Projects

SUBMITTAL DATE: November 28, 2006

SUBMITTED BY: David Wortman, Public Works Director

EXHIBITS (If applicable): IDOT Form BLR 05310 for Local Agency Agreement for Federal Participation

EXPENDITURE	AMOUNT	CONTINGENCY FUNDING
ESTIMATE: Next Year	BUDGETED: Next Year	REQUIRED: N/A

IF IT IS THE WISH OF THE COUNCIL TO SUPPORT RECOMMENDATIONS CONTAINED IN THIS REPORT, THE FOLLOWING MOTION IS SUGGESTED:


“I move to authorize the Mayor to sign the attached IDOT Agreement for Federal Participation in the Rudy Avenue, South 14th Street, and South 19th Street Local Agency Pavement Preservation Projects”

SUMMARY OF THE TOPIC FOR WHICH A COUNCIL DECISION IS REQUESTED:

The attached forms must be signed by the mayor and submitted to IDOT in order to allow for the use of the City's STU funds for next year's roadway overlay projects. STU funds are Federal funds allotted to municipalities for the construction and maintenance of the major local streets. While the funds are the City's to determine how to spend, IDOT manages the funds so the agreement is with IDOT.

The attached map shows the areas that will be overlaid.

The expenditure amounts are shown on the front page of the agreement. The funds will be spent and accounted for in next year's budget.

 Illinois Department of Transportation Local Agency Agreement for Federal Participation	Local Agency CITY OF MATTOON	State Contract X	Day Labor	Local Contract	RR Force Account
	Section 06-00144-00-RS	Fund Type STU	ITEP Number		

Construction		Engineering		Right-of-Way	
Job Number	Project Number	Job Number	Project Number	Job Number	Project Number

This Agreement is made and entered into between the above local agency hereinafter referred to as the "LA" and the state of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "STATE". The STATE and LA jointly propose to improve the designated location as described below. The improvement shall be constructed in accordance with plans approved by the STATE and the STATE's policies and procedures approved and/or required by the Federal Highway Administration hereinafter referred to as "FHWA".

Location

Local Name VARIOUS Route VARIOUS Length 10,598FT

Termini (F.A.U.7695:S.T.=F.A.U.7679 & N.T.=F.A.U.7676) (F.A.U.7680:S.T.=F.A.U.7679 & N.T.=F.A.U.7676) (F.A.U.7679:

W.T.7680 & E.T.=F.A.U.7698)

Current Jurisdiction CITY OF MATTOON Existing Str. No N/A

Project Description

RESURFACING OF THREE F.A.U. ROUTES INCLUDING BIT. PATCHING, BIT. REM. BUTT JOINTS, MANHOLES TO BE ADJUSTED, LEVEL BINDER, BITUMINOUS CONCRETE SURFACE COURSE SP, THERMOPLASTIC STRIPING, AND OTHER MISC. WORK

Division of Cost

Type of Work	FHWA	%	STATE	%	LA	%	Total
Participating Construction	342,400	(80)		()	85,600	(20)	428,000
Non-Participating Construction		()		()		()	
Preliminary Engineering		()		()		()	
Construction Engineering		()		()		()	
Right of Way		()		()		()	
Railroads		()		()		()	
Utilities		()		()		()	
TOTAL	\$ 342,400		\$		\$ 85,600		\$ 428,000

NOTE: The costs shown in the Division of Cost table are approximate and subject to change. The final LA share is dependent on the final Federal and State participation. The actual costs will be used in the final division of cost for billing and reimbursement.

If funding is not a percentage of the total, place an asterisk in the space provided for the percentage and explain above.

The Federal share of construction engineering may not exceed 15% of the Federal share of the final construction cost.

Local Agency Appropriation

By execution of this Agreement, the LA is indicating sufficient funds have been set aside to cover the local share of the project cost and additional funds will be appropriated, if required, to cover the LA's total cost.

Method of Financing (State Contract Work)

METHOD A---Lump Sum (95% of LA Obligation) _____

METHOD B---_____ Monthly Payments of _____

METHOD C---LA's Share BALANCE divided by estimated total cost multiplied by actual progress payment.
(See page two for details of the above methods and the financing of Day Labor and Local Contracts)

Agreement Provisions

THE LA AGREES:

- (1) To acquire in its name, or in the name of the state if on the state highway system, all right-of-way necessary for this project in accordance with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and established state policies and procedures. Prior to advertising for bids, the LA shall certify to the STATE that all requirements of Titles II and III of said Uniform Act have been satisfied. The disposition of encroachments, if any, will be cooperatively determined by representatives of the LA, and STATE and the FHWA, if required.
- (2) To provide for all utility adjustments, and to regulate the use of the right-of-way of this improvement by utilities, public and private, in accordance with the current Utility Accommodation Policy for Local Agency Highway and Street Systems.
- (3) To provide for surveys and the preparation of plans for the proposed improvement and engineering supervision during construction of the proposed improvement.
- (4) To retain jurisdiction of the completed improvement unless specified otherwise by addendum (addendum should be accompanied by a location map). If the improvement location is currently under road district jurisdiction, an addendum is required.
- (5) To maintain or cause to be maintained, in a manner satisfactory to the STATE and FHWA, the completed improvement, or that portion of the completed improvement within its jurisdiction as established by addendum referred to in item 4 above.
- (6) To comply with all applicable Executive Orders and Federal Highway Acts pursuant to the Equal Employment Opportunity and Nondiscrimination Regulations required by the U.S. Department of Transportation.
- (7) To maintain, for a minimum of 3 years after the completion of the contract, adequate books, records and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records and supporting documents related to the contract shall be available for review and audit by the Auditor General and the department; and the LA agrees to cooperate fully with any audit conducted by the Auditor General and the department; and to provide full access to all relevant materials. Failure to maintain the books, records and supporting documents required by this section shall establish a presumption in favor of the STATE for the recovery of any funds paid by the STATE under the contract for which adequate books, records and supporting documentation are not available to support their purported disbursement.
- (8) To provide if required, for the improvement of any railroad-highway grade crossing and rail crossing protection within the limits of the proposed improvement;
- (9) To comply with Federal requirements or possibly lose (partial or total) Federal participation as determined by the FHWA;
- (10) (State Contracts Only) That the method of payment designated on page one will be as follows:
 - Method A - Lump Sum Payment. Upon award of the contract for this improvement, the LA will pay to the STATE, in lump sum, an amount equal to 95% of the LA's estimated obligation incurred under this Agreement, and will pay to the STATE the remainder of the LA's obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.
 - Method B - Monthly Payments. Upon award of the contract for this improvement, the LA will pay to the STATE, a specified amount each month for an estimated period of months, or until 95% of the LA's estimated obligation under the provisions of the Agreement has been paid, and will pay to the STATE the remainder of the LA's obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.
 - Method C - Progress Payments. Upon receipt of the contractor's first and subsequent progressive bills for this improvement, the LA will pay to the STATE, an amount equal to the LA's share of the construction cost divided by the estimated total cost, multiplied by the actual payment (appropriately adjusted for nonparticipating costs) made to the contractor until the entire obligation incurred under this Agreement has been paid.
- (11) (Day Labor or Local Contracts) To provide or cause to be provided all of the initial funding, equipment, labor, material and services necessary to construct the complete project.
- (12) (Preliminary Engineering) In the event that right-of-way acquisition for, or actual construction of the project for which this preliminary engineering is undertaken with Federal participation is not started by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the LA will repay the STATE any Federal funds received under the terms of this Agreement.
- (13) (Right-of-Way Acquisition) In the event that the actual construction of the project on this right-of-way is not undertaken by the close of the twentieth fiscal year following the fiscal year in which this Agreement is executed, the LA will repay the STATE any Federal Funds received under the terms of this Agreement.
- (14) (Railroad Related Work Only) The estimates and general layout plans for at-grade crossing improvements should be forwarded to the Rail Safety and Project Engineer, Room 204, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois, 62764. Approval of the estimates and general layout plans should be obtained prior to the commencement of railroad related work. All railroad related work is also subject to approval by the Illinois Commerce Commission (ICC). Final inspection of railroad related work should be coordinated through appropriate IDOT District Bureau of Local Roads and Streets office. Plans and preemption times for signal related work that will be interconnected with traffic signals shall be submitted to the ICC for review and approval prior to the commencement of work. Signal related work involving interconnects with state maintained traffic signals should also be coordinated with the IDOT's District Bureau of Operations.

The LA is responsible for the payment of the railroad related expenses in accordance with the LA/railroad agreement prior to requesting reimbursement from IDOT. Requests for reimbursement should be sent to the appropriate IDOT District Bureau of Local Roads and Streets office.

Engineer's Payment Estimates in accordance with the Division of Cost on page one.

- (15) And certifies to the best of its knowledge and belief its officials:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) have not within a three-year period preceding this Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements receiving stolen property;
 - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, local) with commission of any of the offenses enumerated in item (b) of this certification; and
 - (d) have not within a three-year period preceding the Agreement had one or more public transactions (Federal, State, local) terminated for cause or default.
- (16) To include the certifications, listed in item 15 above and all other certifications required by State statutes, in every contract, including procurement of materials and leases of equipment.
- (17) (State Contracts) That execution of this agreement constitutes the LA's concurrence in the award of the construction contract to the responsible low bidder as determined by the STATE.
- (18) That for agreements exceeding \$100,000 in federal funds, execution of this Agreement constitutes the LA's certification that:
- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or any employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
 - (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress, in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
 - (c) The LA shall require that the language of this certification be included in the award documents for all subawards at all ties (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- (19) To regulate parking and traffic in accordance with the approved project report.
- (20) To regulate encroachments on public right-of-way in accordance with current Illinois Compiled Statutes.
- (21) To regulate the discharge of sanitary sewage into any storm water drainage system constructed with this improvement in accordance with current Illinois Compiled Statutes.
- (22) That the LA may invoice the STATE monthly for the FHWA and/or STATE share of the costs incurred for this phase of the improvement. The LA will submit supporting documentation with each request for reimbursement from the STATE. Supporting documentation is defined as verification of payment, certified time sheets, vendor invoices, vendor receipts, and other documentation supporting the requested reimbursement amount.
- (23) To complete this phase of the project within three years from the date this agreement is approved by the STATE if this portion of the project described in the Project Description does not exceed \$1,000,000 (five years if the project costs exceed \$1,000,000).
- (24) Upon completion of this phase of the improvement, the LA will submit to the STATE a complete and detailed final invoice with all applicable supporting supporting documentation of all incurred costs, less previous payments, no later than one year from the date of completion of this phase of the improvement. If a final invoice is not received within one year of completion of this phase of the improvement, the most recent invoice may be considered the final invoice and the obligation of the funds closed.

THE STATE AGREES:

- (1) To provide such guidance, assistance and supervision and to monitor and perform audits to the extent necessary to assure validity of the LA's certification of compliance with Titles II and III requirements.
- (2) (State Contracts) To receive bids for the construction of the proposed improvement when the plans have been approved by the STATE (and FHWA, if required) and to award a contract for construction of the proposed improvement, after receipt of a satisfactory bid.
- (3) (Day Labor) To authorize the LA to proceed with the construction of the improvement when Agreed Unit Prices are approved and to reimburse the LA for that portion of the cost payable from Federal and/or State funds based on the Agreed Unit Prices and Engineer's Payment Estimates in accordance with the Division of Cost on page one.

- (4) (Local Contracts) That for agreements with Federal and/or State funds in engineering, right-of-way, utility work and/or construction work:
- (a) To reimburse the LA for the Federal and/or State share on the basis of periodic billings, provided said billings contain sufficient cost information and show evidence of payment by the LA.
- (b) To provide independent assurance sampling, to furnish off-site material inspection and testing at sources normally visited by STATE inspectors of steel, cement, aggregate, structural steel and other materials customarily tested by the STATE.

IT IS MUTUALLY AGREED:

- (1) That this Agreement and the covenants contained herein shall become null and void in the event that the FHWA does not approve the proposed improvement for Federal-aid participation or the contract covering the construction work contemplated herein is not awarded within three years of the date of execution of this Agreement.
- (2) This Agreement shall be binding upon the parties, their successors and assigns.
- (3) For contracts awarded by the LA, the LA shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any USDOT – assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The LA shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of USDOT – assisted contracts. The LA's DBE program, as required by 49 CFR part 26 and as approved by USDOT, is incorporated by reference in this Agreement. Upon notification to the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.). In the absence of a USDOT – approved LA DBE Program or on State awarded contracts, this Agreement shall be administered under the provisions of the STATE's USDOT approved Disadvantaged Business Enterprise Program.
- (4) In cases where the STATE is reimbursing the LA, obligations of the STATE shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or applicable Federal Funding source fails to appropriate or otherwise make available funds for the work contemplated herein.
- (5) All projects for the construction of fixed works which are financed in whole or in part with funds provided by this Agreement and/or amendment shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application.

ADDENDA

Additional information and/or stipulations are hereby attached and identified below as being a part of this Agreement.

Number 1 Location Map #1 PROJECT LOCATION MAP

(Insert addendum numbers and titles as applicable)

The LA further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Agreement and all addenda indicated above.

APPROVED

Name CHARLES E. WHITE

Title MAYOR, CITY OF MATTOON
County Board Chairperson/Mayor/Village President/etc.

Signature _____

Date _____

TIN Number _____

APPROVED

State of Illinois
Department of Transportation

Timothy W. Martin, Secretary

Date _____

By:

Secretary's Delegate – Victor A. Modeer, Director of Highways

Ellen Schanzle-Haskins, Chief Counsel

Robert J. Millette, Director of Finance and Administration

NOTE: If signature is by an APPOINTED official, a resolution authorizing said appointed official to execute this agreement is required.

CITY OF MATTOON
SECTION 06-00144-00-RS
CONTRACT #
ROUTE: VARIOUS
COLES COUNTY

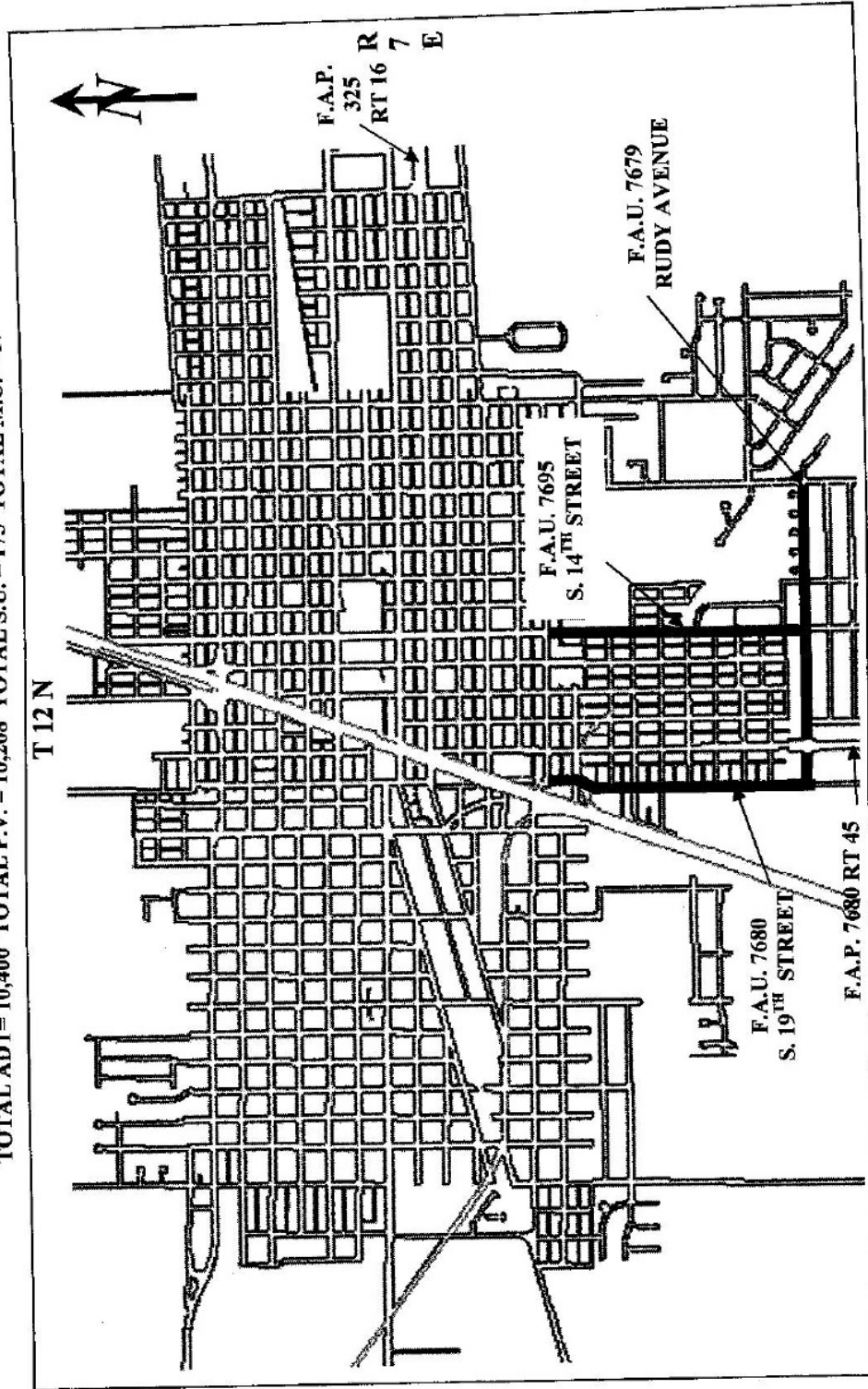
#1 PROJECT LOCATION MAP

TOTAL PROJECT LENGTH = 10,740' 2.03 MILES

TOTAL NET LENGTH = 10,598' 2.00 MILES

TOTAL ADT = 10,400 TOTAL P.V. = 10,208 TOTAL S.U. = 175 TOTAL M.U. = 17

T 12 N



RESOLUTION NO. 2006-2674



**Illinois Department
of Transportation**

**Resolution for Improvement by
Municipality Under the Illinois
Highway Code**

BE IT RESOLVED, by the City Council of the _____ of the _____

City of Mattoon Council or President and Board of Trustees

City, Town or Village

that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
South 14 th Street	FAU 7695	Rudy Ave (FAU 7679)	Marshall Ave (FAU 7676)
South 19 th Street	FAU 7680	Rudy Ave (FAU 7679)	Marshall Ave (FAU 7676)
Rudy Ave	FAU 7679	South 9 th Street (FAU 7698)	South 19 th Street (FAU 7680)

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of Various Bituminous Patching of failed joints,

Variable thickness of Resurfacing of Bituminous Surface, Bituminous Shoulders, Edge and center line striping

_____ and shall be constructed _____ wide

and be designated as Section 06-00144-00-RS

2. That there is hereby appropriated the (additional ☐ Yes ☒ No) sum of Eighty-five thousand and six

Hundred dollars Dollars (\$85,600.00) for the

improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by contract _____ ; and

Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Authorized MFT Expenditure

Date

I, Susan J. O'Brien Clerk in and for the _____

City of Mattoon

City, Town or Village

County of Coles , hereby certify that

foregoing to be a true, perfect and complete copy of a resolution adopted

by the Council

Council or President and Board of Trustees

Department of Transportation

at a meeting on December 5, 2006

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this ^{Date}

6th day of December, 2006

(SEAL)

City, Town, or Village Clerk

Regional Engineer

MEETING DATE: 12/5/2006 CDR NO: 2006-687

SUBJECT: Approval of 2007 MFT Street Maintenance Bid Document

SUBMITTAL DATE: November 28, 2006

SUBMITTED BY: David Wortman, Public Works Director

EXHIBITS (If applicable): Bid Document

EXPENDITURE FUNDING	AMOUNT	CONTINGENCY
ESTIMATE: \$263,312.50	BUDGETED: Next Year	REQUIRED:
N/A		

IF IT IS THE WISH OF THE COUNCIL TO SUPPORT RECOMMENDATIONS CONTAINED IN THIS REPORT, THE FOLLOWING MOTION IS SUGGESTED:

“I move to approve the bid document and specifications for the 2007 MFT Street Maintenance Program”

SUMMARY OF THE TOPIC FOR WHICH A COUNCIL DECISION IS REQUESTED:

Last meeting the Council approved appropriation of \$263,312.50 for various items for the 2007 MFT Street Maintenance Program. Approval of the attached bid document will allow us to go out for bids for next year's materials and services this month.

RETURN WITH BID

PROPOSAL SUBMITTED

Contractor's Name

Street

City State

BIDDERS NEED NOT RETURN THE ENTIRE PROPOSAL
(Note Instruction 5 of the Notice to Bidders Form)

STATE OF ILLINOIS

COUNTY

(Insert name of City, Village, Town or Road District)

ESTIMATE OF COST, SPECIFICATIONS, PLANS,
MATERIAL PROPOSAL, CONTRACT PROPOSAL,
CONTRACT AND CONTRACT BOND.

(Strike out that which is not applicable)

FOR

THE IMPROVEMENT OF

STREET NAME OR ROUTE

SECTION NO.

TYPE OF FUNDS

TO BE CONSTRUCTED UNDER
THE PROVISIONS OF

THE ILLINOIS HIGHWAY CODE

Submitted
Approved/Passed

Highway Commissioner/Mayor/President of Board of Trustees

APPROVED
DEPARTMENT OF TRANSPORTATION

For County and Road District Projects Only

Date

Submitted/Approv _____
County Engineer/Superintendent of Highways

Regional Engineer



Illinois Department of Transportation

Notice of Material Letting

1. Sealed proposals will be received in the _____
_____ o'clock _____ M. _____
Date
of _____ Count _____ Municipality _____
Road _____ and at that time publicly opened and read.
2. Proposals shall be submitted on forms furnished by the Local Agency which may be obtained at _____
_____ and shall be enclosed in an envelope endorsed "Material _____"
Section _____
3. The right is reserved to waive technicalities and to reject any or all proposals.
4. **Proposal Guaranty.** A proposal guaranty in the proper amount, as specified in BLRS Special Provision for Bidding Requirements and Conditions for Material Proposals, will be required. Bid bonds ☐ will ☒ will not be allowed as proposal guaranties.
5. **Contract Bond.** The successful bidder at the time of execution of the contract ☐ will ☒ not be required to deposit a contract bond for the full amount of the award. When a contract bond is not required, the proposal guaranty check will be held in lieu thereof. Failure on the part of the contractor to deliver the material within the time specified or to do the work specified herein will be considered just cause to forfeit his surety as provided in Article 108.10 of the Standard Specifications.

By Order _____

(Awarding Authority)

Date

(County Engineer/Superintendent of Highways/Municipal Engineer)

Material Proposal

T _____
(Awarding Authority)

If this bid is accepted within 45 days from date of opening, the undersigned agrees to furnish any or all of the materials at the quoted unit prices, subject to the following:

1. It is understood and agreed that the "Standard Specifications for Road and Bridge Construction" _____ and the "Supplemental Specifications and Recurring Special Specifications" _____ prepared by the Department of Transportation, shall govern insofar as they are applied and insofar as they do not conflict with the special provisions and supplemental specifications.

2. It is understood that quantities listed are approximate only and that they may be increased or decreased as may be needed to properly complete the improvement within its present limits or extensions thereto, at the unit price stated and that bids will be compared on the basis of the total price bid for each group.
3. Delivery in total or partial shipments as ordered shall be made within the time specified in the special provisions or by the acceptance at the point and in the manner specified in the "Schedule Prices". If delivery on the job site is specified, it shall mean any place or places on the road designated by the awarding authority or its authorized representative.
4. The contractor and/or local agency performing the actual material placement operations shall be responsible for providing work zone traffic control, unless otherwise specified in this proposal. Safety devices shall meet the requirements of and be installed in accordance with applicable provisions of the "Illinois Manual on Uniform Traffic Control Devices" and any referenced Illinois Highway Standards.
5. Each pay item should have a unit price and a total price. If no total price is shown or if there is a discrepancy between the product of the unit price multiplied by the quantity, the unit price shall govern. If a unit price is omitted, the total price will be divided by the quantity in order to establish unit price.
6. A bid will be declared unacceptable if neither a unit price nor a total price is shown.
7. **Certified Apprenticeship and Training Program.** All contractors ☒ will ☐ will not be required complete the following certification:

In accordance with the provisions of Section 30-22 (6) of the Illinois Procurement Code, the bidder certifies that it is a participant, either as an individual or as part of a group program, in the approved apprenticeship and training programs applicable to each type of work or craft that the bidder will perform with its own forces. The bidder further certifies for work that will be performed by subcontract that each of its subcontractors submitted for approval either (a) is, at the time of submission of bid, participating in an approved, applicable apprenticeship and training program; or (b) will, prior to commencement of performance of work pursuant to this contract, begin participation in an approved apprenticeship and training program applicable to the work of the subcontract. The Department of Transportation, any time before or after award, may require the production of a copy of each applicable Certificate of Registration issued by the United States Department of Labor evidencing such participation by the contractor and any or all of its subcontractors. Applicable apprenticeship and training programs are those that have been approved and registered with the United States Department of Labor. The bidder shall list in the space below, the official name of the program sponsor holding the Certificate of Registration for all of the types of work or crafts in which the bidder is a participant and that will be performed with the bidder's forces. Types of work or craft work that will be subcontracted shall be included and listed as subcontract work. The list shall also indicate any type of work or craft category that does not have an applicable apprenticeship or training program. **The bidder is responsible for making a complete report and shall make certain that each type of work or craft job category that will be utilized on the project is accounted for and listed.**

The requirements of this certification and disclosure are a material part of the contract, and the contractor shall require this certification provision to be included in all approved subcontracts. In order to fulfill this requirement, it shall not be necessary that an applicable program sponsor be currently taking or that it will take applications for apprenticeship, training or employment during performance of the work of this contract.

Discounts will be allowed for payment as _____ % _____ calendar _____ % _____ calendar
Discounts will not be considered in determining the low bidder.

Bidder _____

By _____
(Signature)

Addres _____

Title _____

State of Illinois
DEPARTMENT OF TRANSPORTATION
Bureau of Local Roads and Streets

**SPECIAL PROVISION
FOR
FURNISHING CLASS SI CONCRETE (SHORT LOAD)**

Effective January 1, 1989
Revised January 1, 2002

All references to Section or Articles in this specification shall be construed to mean a specific Section or Article of the Standard Specifications for Road and Bridge Construction, adopted by the Department of Transportation

Description. This item shall consist of furnishing pre-mixed concrete.

Materials. All materials shall conform to the requirements of the Standard Specifications for Road and Bridge Construction, adopted by the Department of Transportation. The composition of concrete shall be that specified for concrete for structures (except bridge decks), Class SI, under Section 1020.

Mixing and Delivery. The concrete shall be mixed and delivered to the jobsite in accordance with the requirements of Article 1020.11(d). Delivery shall be in such quantities and at such time intervals as the Engineer may elect. When the quantity of concrete delivered to the jobsite at a given time is less than 2.5 cubic meters (cubic yards), a load charge may be added.

Method of Measurement. The concrete will be measured for payment by the cubic meter (cubic yard).

Basis of Payment. The concrete will be paid for at the contract unit bid price per cubic meter (cubic yard) for FURNISHING CLASS SI CONCRETE (SHORT LOAD). Additional payment for the delivery of less than 2.5 cubic meters (cubic yards) of concrete to the jobsite at a given time will be made at the contract unit bid price per load for LOAD CHARGE.

INDEX
FOR
SUPPLEMENTAL SPECIFICATIONS

Adopted January 1, 2007

This index contains a listing of SUPPLEMENTAL SPECIFICATIONS frequently used RECURRING SPECIAL PROVISIONS, and LOCAL ROADS AND STREETS RECURRING SPECIAL PROVISIONS.

No ERRATA this year.

SUPPLEMENTAL SPECIFICATIONS

Std. Spec. Sec.

Page N

No Supplemental Specifications this year.

CHECK SHEET
FOR
RECURRING SPECIAL PROVISIONS

Adopted January 1, 2007

The following RECURRING SPECIAL PROVISIONS indicated by an "X" are applicable to this contract and are included by reference:

RECURRING SPECIAL PROVISIONS

<u>CHECK SHEET #</u>		<u>PAGE</u>
1	<input type="checkbox"/> State Required Contract Provision All Federal-aid Construction Contracts (Eff. 2-1-69) (Rev. 1-1-07)	
2	<input type="checkbox"/> Subletting of Contracts (Federal Aid Contracts) (Eff. 1-1-88) (Rev. 5-1-93)	
3	<input type="checkbox"/> EEO (Eff. 7-21-78) (Rev. 11-18-80)	
4	<input type="checkbox"/> Specific Equal Employment Opportunity Responsibilities Non Federal-aid Contracts (Eff. 3-20-69) (Rev. 1-1-94)	
5	<input type="checkbox"/> Required Provisions - State Contracts (Eff. 4-1-65) (Rev. 1-1-07)	
6	Reserved	
7	<input type="checkbox"/> National Pollutant Discharge Elimination System Permit (Eff. 7-1-94) (Rev. 1-1-03)	
8	<input type="checkbox"/> Haul Road Stream Crossings, Other Temporary Stream Crossings, and In-Stream Work Pads (Eff. 1-2-92) (Rev. 1-1-98)	
9	<input type="checkbox"/> Construction Layout Stakes Except for Structure" (Eff. 1-1-99) (Rev. 1-1-07)	
10	<input type="checkbox"/> Construction Layout Stakes (Eff. 5-1-93) (Rev. 1-1-07)	
11	<input type="checkbox"/> Use of Geotextile Fabric for Railroad Crossing (Eff. 1-1-95) (Rev. 1-1-07)	
12	<input type="checkbox"/> Subsealing of Concrete Pavements (Eff. 11-1-84) (Rev. 1-1-07)	
13	<input type="checkbox"/> Hot-Mix Asphalt Surface Removal (Cold Milling) (Eff. 11-1-87) (Rev. 1-1-07)	
14	<input type="checkbox"/> Pavement and Shoulder Resurfacing (Eff. 2-1-02) (Rev. 1-1-07)	
15	<input type="checkbox"/> PCC Partial Depth Hot-Mix Asphalt Patching (Eff. 1-1-98) (Rev. 1-1-07)	
16	<input type="checkbox"/> Patching with Bituminous Overlay Removal (Eff. 10-1-95) (Rev. 1-1-07)	
17	<input type="checkbox"/> Polymer Concrete (Eff. 8-1-95) (Rev. 3-1-05)	
18	<input type="checkbox"/> PVC Pipeliner (Eff. 4-1-04) (Rev. 1-1-07)	
19	<input type="checkbox"/> Pipe Underdrains (Eff. 9-9-87) (Rev. 1-1-07)	
20	<input type="checkbox"/> Guardrail and Barrier Wall Delineation (Eff. 12-15-93) (Rev. 1-1-97)	
21	<input type="checkbox"/> Bicycle Racks (Eff. 4-1-94) (Rev. 1-1-07)	
22	<input type="checkbox"/> Temporary Modular Glare Screen System (Eff. 1-1-00) (Rev. 1-1-07)	
23	<input type="checkbox"/> Temporary Portable Bridge Traffic Signals (Eff. 8-1-03) (Rev. 1-1-07)	
24	<input type="checkbox"/> Work Zone Public Information Signs (Eff. 9-1-02) (Rev. 1-1-07)	
25	<input type="checkbox"/> Night Time Inspection of Roadway Lighting (Eff. 5-1-96)	
26	<input type="checkbox"/> English Substitution of Metric Bolts (Eff. 7-1-96)	
27	<input type="checkbox"/> English Substitution of Metric Reinforcement Bars (Eff. 4-1-96) (Rev. 1-1-03)	
28	<input type="checkbox"/> Calcium Chloride Accelerator for Portland Cement Concrete (Eff. 1-1-01)	
29	<input type="checkbox"/> QC of Concrete Mixtures at the Plant - Single A (Eff. 8-1-00) (Rev. 1-1-04)	
30	<input type="checkbox"/> QC of Concrete Mixtures at the Plant - Double A (Eff. 8-1-00) (Rev. 1-1-04)	
31	<input type="checkbox"/> Quality Control/Quality Assurance of Concrete Mixtures (Eff. 4-1-92) (Rev. 1-1-07)	

Coles County Prevailing Wage for December 2006

Trade Name Vac Trng	RG	TYP	C	Base	FRMAN	*M-F>8	OSA	OSH	H/W	Pensn
=====	==	===	=	=====	=====	=====	===	===	=====	=====
ASBESTOS ABT-GEN 0.000 0.700		BLD		24.420	25.420	1.5	1.5	2.0	5.050	5.330
ASBESTOS ABT-MEC 0.000 0.000		BLD		20.800	0.000	2.0	2.0	2.0	4.750	3.000
BOILERMAKER 0.000 0.210		BLD		27.750	30.250	1.5	1.5	2.0	6.820	10.28
BRICK MASON 0.000 0.630		BLD		25.500	27.000	1.5	1.5	2.0	5.200	6.500
CARPENTER 0.000 0.320		BLD		25.590	27.590	1.5	1.5	2.0	6.500	6.800
CARPENTER 0.000 0.300		HWY		25.040	26.790	1.5	1.5	2.0	6.500	7.300
CEMENT MASON 0.000 0.300		BLD		25.830	27.080	1.5	1.5	2.0	5.200	7.000
CEMENT MASON 0.000 0.300		HWY		24.170	25.170	1.5	1.5	2.0	5.200	7.000
CERAMIC TILE FNSHER 0.000 0.000		BLD		25.500	0.000	1.5	1.5	2.0	5.200	5.600
ELECTRIC PWR EQMT OP 0.000 0.000		ALL		29.710	0.000	1.5	1.5	2.0	4.750	8.320
ELECTRIC PWR GRNDMAN 0.000 0.000		ALL		20.380	0.000	1.5	1.5	2.0	4.750	5.710
ELECTRIC PWR LINEMAN 0.000 0.000		ALL		33.000	35.120	1.5	1.5	2.0	4.750	9.240
ELECTRIC PWR TRK DRV 0.000 0.000		ALL		21.380	0.000	1.5	1.5	2.0	4.750	5.990
ELECTRICIAN 0.000 0.440		BLD		29.480	32.420	1.5	1.5	2.0	5.150	5.300
ELECTRONIC SYS TECH 0.000 0.250		BLD		24.370	25.870	1.5	1.5	2.0	5.150	3.650
ELEVATOR CONSTRUCTOR 1.970 0.000		BLD		32.885	37.000	2.0	2.0	2.0	7.775	5.090
FENCE ERECTOR 0.000 0.390		ALL		24.450	25.750	1.5	1.5	2.0	6.000	8.000
GLAZIER 0.000 0.280		BLD		27.130	28.130	1.5	2.0	2.0	5.430	4.000
HT/FROST INSULATOR 0.000 0.190		BLD		26.110	27.110	1.5	1.5	2.0	4.800	6.860
IRON WORKER 0.000 0.390		ALL		24.450	25.750	1.5	1.5	2.0	6.000	8.000
LABORER 0.000 0.600		BLD		22.920	23.920	1.5	1.5	2.0	5.050	5.330
LABORER 0.000 0.600		HWY		24.220	24.970	1.5	1.5	2.0	5.050	5.330
LATHER 0.000 0.320		BLD		25.590	27.590	1.5	1.5	2.0	6.500	6.800
MACHINIST 2.550 0.000		BLD		36.890	38.890	2.0	2.0	2.0	4.380	5.650
MARBLE FINISHERS 0.000 0.000		BLD		25.500	0.000	1.5	1.5	2.0	5.200	5.600

MARBLE MASON 0.000 0.000	BLD	27.000	0.000	1.5	1.5	2.0	5.200	5.600
MILLWRIGHT 0.000 0.320	BLD	26.000	28.000	1.5	1.5	2.0	6.500	6.850
MILLWRIGHT 0.000 0.000	HWY	19.410	20.660	1.5	1.5	2.0	2.800	3.000
OPERATING ENGINEER 0.000 0.600	ALL 1	27.600	0.000	1.5	1.5	2.0	5.000	6.500
OPERATING ENGINEER 0.000 0.600	ALL 2	17.900	0.000	1.5	1.5	2.0	5.000	6.500
PAINTER 0.000 0.320	ALL	28.450	29.800	1.5	1.5	2.0	5.200	3.300
PAINTER SIGNS 0.000 0.320	ALL	28.450	29.800	1.5	1.5	2.0	5.200	3.300
PILEDRIIVER 0.000 0.320	BLD	26.090	28.090	1.5	1.5	2.0	6.500	6.800
PILEDRIIVER 0.000 0.300	HWY	25.540	27.290	1.5	1.5	2.0	6.500	7.300
PIPEFITTER 0.000 0.620	BLD	33.100	35.600	1.5	1.5	2.0	6.450	5.760
PLASTERER 0.000 0.300	BLD	23.940	25.440	1.5	1.5	2.0	5.200	8.200
PLUMBER 0.000 0.620	BLD	33.100	35.600	1.5	1.5	2.0	6.450	5.760
ROOFER 0.000 0.200	BLD	25.460	26.460	1.5	1.5	2.0	6.350	5.150
SHEETMETAL WORKER 0.000 0.520	BLD	28.600	30.600	1.5	1.5	2.0	7.150	7.330
SPRINKLER FITTER 0.000 0.250	BLD	31.240	33.240	1.5	1.5	2.0	6.500	5.350
STONE MASON 0.000 0.630	BLD	25.500	27.000	1.5	1.5	2.0	5.200	6.500
TERRAZZO FINISHER 0.000 0.000	BLD	25.500	0.000	1.5	1.5	2.0	5.200	5.600
TERRAZZO MASON 0.000 0.000	BLD	27.000	0.000	1.5	1.5	2.0	5.200	5.600
TILE LAYER 0.000 0.320	BLD	25.590	27.590	1.5	1.5	2.0	6.500	6.800
TILE MASON 0.000 0.000	BLD	27.000	0.000	1.5	1.5	2.0	5.200	5.600
TRUCK DRIVER 0.000 0.000	ALL 1	25.787	0.000	1.5	1.5	2.0	7.250	3.317
TRUCK DRIVER 0.000 0.000	ALL 2	26.187	0.000	1.5	1.5	2.0	7.250	3.317
TRUCK DRIVER 0.000 0.000	ALL 3	26.387	0.000	1.5	1.5	2.0	7.250	3.317
TRUCK DRIVER 0.000 0.000	ALL 4	26.637	0.000	1.5	1.5	2.0	7.250	3.317
TRUCK DRIVER 0.000 0.000	ALL 5	27.387	0.000	1.5	1.5	2.0	7.250	3.317
TRUCK DRIVER 0.000 0.000	O&C 1	20.630	0.000	1.5	1.5	2.0	7.250	3.317
TRUCK DRIVER 0.000 0.000	O&C 2	20.950	0.000	1.5	1.5	2.0	7.250	3.317
TRUCK DRIVER 0.000 0.000	O&C 3	21.110	0.000	1.5	1.5	2.0	7.250	3.317

TRUCK DRIVER	O&C 4	21.310	0.000	1.5	1.5	2.0	7.250	3.317
0.000 0.000								
TRUCK DRIVER	O&C 5	21.910	0.000	1.5	1.5	2.0	7.250	3.317
0.000 0.000								
TUCKPOINTER	BLD	25.500	27.000	1.5	1.5	2.0	5.200	6.500
0.000 0.630								

Legend:

M-F>8 (Overtime is required for any hour greater than 8 worked each day, Monday through Friday.)
 OSA (Overtime is required for every hour worked on Saturday)
 OSH (Overtime is required for every hour worked on Sunday and Holidays)
 H/W (Health & Welfare Insurance)
 Pensn (Pension)
 Vac (Vacation)
 Trng (Training)

Explanations

COLES COUNTY

The following list is considered as those days for which holiday rates of wages for work performed apply: New Years Day, Memorial/Decoration Day, Fourth of July, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day. Generally, any of these holidays which fall on a Sunday is celebrated on the following Monday. This then makes work performed on that Monday payable at the appropriate overtime rate for holiday pay. Common practice in a given local may alter certain days of celebration such as the day after Thanksgiving for Veterans Day. If in doubt, please check with IDOL.

Oil and chip resealing (O&C) means the application of road oils and liquid asphalt to coat an existing road surface, followed by application of aggregate chips or gravel to coated surface, and subsequent rolling of material to seal the surface.

EXPLANATION OF CLASSES

ASBESTOS - GENERAL - removal of asbestos material/mold and hazardous materials from any place in a building, including mechanical systems where those mechanical systems are to be removed. This includes the removal of asbestos materials/mold and hazardous materials from ductwork or pipes in a building when the building is to be demolished at the time or at some close future date.

ASBESTOS - MECHANICAL - removal of asbestos material from mechanical systems, such as pipes, ducts, and boilers, where the mechanical systems are to remain.

CERAMIC TILE FINISHER, MARBLE FINISHER, TERRAZZO FINISHER

Assisting, helping or supporting the tile, marble and terrazzo mechanic by performing their historic and traditional work assignments required to complete the proper installation of the work covered by

said crafts. The term "Ceramic" is used for naming the classification only and is in no way a limitation of the product handled. Ceramic takes into consideration most hard tiles.

ELECTRONIC SYSTEMS TECHNICIAN

Installation, service and maintenance of low-voltage systems which utilizes the transmission and/or transference of voice, sound, vision, or digital for commercial, education, security and entertainment purposes for the following: TV monitoring and surveillance, background/foreground music, intercom and telephone interconnect, field programming, inventory control systems, microwave transmission, multi-media, multiplex, radio page, school, intercom and sound burglar alarms and low voltage master clock systems.

Excluded from this classification are energy management systems, life safety systems, supervisory controls and data acquisition systems not intrinsic with the above listed systems, fire alarm systems, nurse call systems and raceways exceeding fifteen feet in length.

TRUCK DRIVER - BUILDING, HEAVY AND HIGHWAY CONSTRUCTION

Class 1. Drivers on 2 axle trucks hauling less than 9 ton. Air compressor and welding machines and brooms, including those pulled by separate units, truck driver helpers, warehouse employees, mechanic helpers, greasers and tiremen, pickup trucks when hauling materials, tools, or workers to and from and on-the-job site, and fork lifts up to 6,000 lb. capacity.

Class 2. Two or three axle trucks hauling more than 9 ton but hauling less than 16 ton. A-frame winch trucks, hydrolift trucks, vactor trucks or similar equipment when used for transportation purposes. Fork lifts over 6,000 lb. capacity, winch trucks, four axle combination units, and ticket writers.

Class 3. Two, three or four axle trucks hauling 16 ton or more. Drivers on water pulls, articulated dump trucks, mechanics and working forepersons, and dispatchers. Five axle or more combination units.

Class 4. Low Boy and Oil Distributors.

Class 5. Drivers who require special protective clothing while employed on hazardous waste work.

TRUCK DRIVER - OIL AND CHIP RESEALING ONLY.

This shall encompass laborers, workers and mechanics who drive contractor or subcontractor owned, leased, or hired pickup, dump, service, or oil distributor trucks. The work includes transporting materials and equipment (including but not limited to, oils, aggregate supplies, parts, machinery and tools) to or from the job site; distributing oil or liquid asphalt and aggregate; stock piling material when in connection with the actual oil and chip contract. The Truck Driver (Oil & Chip Resealing) wage classification does not include supplier delivered materials.

OPERATING ENGINEERS - BUILDING, HEAVY AND HIGHWAY CONSTRUCTION

Class 1. Power Cranes, Draglines, Derricks, Shovels, Gradalls, Mechanics, Tractor Highlift, Tournadozer, Concrete Mixers with Skip, Tournamixer, Two Drum Machine, One Drum Hoist with Tower or Boom, Cableways, Tower Machines, Motor Patrol, Boom Tractor, Boom or Winch Truck, Winch or Hydraulic Boom Truck, Truck Crane, Tournapull, Tractor Operating Scoops, Bulldozer, Push Tractor, Asphalt Planer, Finishing Machine on Asphalt, Large Rollers on Earth, Rollers on Asphalt Mix, Ross Carrier or similar Machine, Gravel Processing Machine, Asphalt Plant Engineer, Paver Operator, Dredging Equipment, or Dredge Engineer, or Dredge Operator, Central Mix Plant Engineer, CMI or similar type machine, Concrete Pump, Truck or Skid Mounted, Tower Crane, Engineer or Rock Crusher Plant, Concrete Plant Engineer, Ditching Machine with dual attachment, Tractor Mounted Loaders, Cherry Picker, Hydro Crane, Standard or Dinkey Locomotives, Scoopmobiles, Euclid Loader, Soil Cement Machine, Back Filler, Elevating Machine, Power Blade, Drilling Machine, including Well Testing, Caissons, Shaft or any similar type drilling machines, Motor Driven Paint Machine, Pipe Cleaning Machine, Pipe Wrapping Machine, Pipe Bending Machine, Apsco Paver, Boring Machine, (Head Equipment Greaser), Barber-Greene Loaders, Formless Paver, (Well Point System), Concrete Spreader, Hydra Ax, Span Saw, Marine Scoops, Brush Mulcher, Brush Burner, Mesh Placer, Tree Mover, Helicopter Crew (3), Piledriver-Skid or Crawler, Stump Remover, Root Rake, Tug Boat Operator, Refrigerating Machine, Freezing Operator, Chair Cart- Self-Propelled, Hydra Seeder, Straw Blower, Power Sub Grader, Bull Float, Finishing Machine, Self-Propelled Pavement Breaker, Lull (or similar type Machine), Two Air Compressors, Compressors hooked in Manifold, Overhead Crane, Chip Spreader, Mud Cat, Sull-Air, Fork Lifts (except when used for landscaping work), Soil Stabilizer (Seaman Tiller, Bo Mag, Rago Gator, and similar types of equipment), Tube Float, Spray Machine, Curing Machine, Concrete or Asphalt Milling Machine, Snooper Truck-Operator, Backhoe, Farm Tractors (with attachments), 4 Point Lift System (Power Lift or similar type), Skid-Steer (Bob Cat or similar type), Wrecking Shears, Water Blaster.

Class 2. Concrete Mixers without Skips, Rock Crusher, Ditching Machine under 6', Curbing Machine, One Drum Machines without Tower or Boom, Air Tugger, Self-Propelled Concrete Saw, Machine Mounted Post Hole Digger, two to four Generators, Water Pumps or Welding Machines, within 400 feet, Air Compressor 600 cu. ft. and under, Rollers on Aggregate and Seal Coat Surfaces, Fork Lift (when used for landscaping work), Concrete and Blacktop Curb Machine, One Water Pump, Oilers, Air Valves or Steam Valves, One Welding Machine, Truck Jack, Mud Jack, Gunnite Machine, House Elevators when used for hoisting material, Engine Tenders, Fireman, Wagon Drill, Flex Plane, Conveyor, Siphons and Pulsometer, Switchman, Fireman on Paint Pots, Fireman on Asphalt Plants, Distributor Operator on Trucks, Tampers, Self-Propelled Power Broom, Striping Machine (motor driven), Form Tamper, Bulk Cement Plant, Equipment Greaser, Deck Hands, Truck Crane Oiler-Driver, Cement Blimps, Form Grader, Temporary Heat, Throttle Valve, Super Sucker (and similar type of equipment).

Other Classifications of Work:

For definitions of classifications not otherwise set out, the Department generally has on file such definitions which are available.

If a task to be performed is not subject to one of the classifications of pay set out, the Department will upon being contacted state which neighboring county has such a classification and provide such rate, such rate being deemed to exist by reference in this document. If no neighboring county rate applies to the task, the Department shall undertake a special determination, such special determination being then deemed to have existed under this determination. If a project requires these, or any classification not listed, please contact IDOL at 618/993-7271 for wage rates or clarifications.

LANDSCAPING

Landscaping work falls under the existing classifications for laborer, operating engineer and truck driver. The work performed by landscape plantsman and landscape laborer is covered by the existing classification of laborer. The work performed by landscape operators (regardless of equipment used or its size) is covered by the classifications of operating engineer. The work performed by landscape truck drivers (regardless of size of truck driven) is covered by the classifications of truck driver.

CHECK SHEET
FOR
RECURRING LOCAL ROADS AND STREETS SPECIAL PROVISIONS

Adopted January 1, 2007

The following RECURRING LOCAL ROADS AND STREETS SPECIAL PROVISIONS indicated by an "X" are applicable to this contract and included by reference:

RECURRING LOCAL ROADS AND STREETS SPECIAL PROVISIONS

<u>CHECK SHEET #</u>		<u>PAGE #</u>
LRS 1	Reserved	9
LRS 2	<input type="checkbox"/> Furnished Excavation (Eff. 1-1-99) (Rev. 1-1-07)	9
LRS 3	<input type="checkbox"/> Work Zone Traffic Control (Eff. 1-1-99) (Rev. 1-1-07)	9
LRS 4	<input type="checkbox"/> Flaggers in Work Zones (Eff. 1-1-99) (Rev. 1-1-07)	9
LRS 5	<input type="checkbox"/> Contract Claims (Eff. 1-1-02) (Rev. 1-1-07)	9
LRS 6	<input type="checkbox"/> Bidding Requirements and Conditions for Contract Proposals (Eff. 1-1-02)	9
LRS 7	<input checked="" type="checkbox"/> Bidding Requirements and Conditions for Material Proposals (Eff. 1-1-02) (Rev. 1-1-03)	10
LRS 8	<input type="checkbox"/> Failure to Complete the Work on Time (Eff. 1-1-99)	10
LRS 9	<input type="checkbox"/> Bituminous Surface Treatments (Eff. 1-1-99)	10
LRS 10	<input type="checkbox"/> Reflective Sheeting Type C (Eff. 1-1-99) (Rev. 1-1-02)	11
LRS 11	<input type="checkbox"/> Employment Practices (Eff. 1-1-99)	11
LRS 12	<input type="checkbox"/> Wages of Employees on Public Works (Eff. 1-1-99) (Rev. 1-1-07)	11
LRS 13	<input type="checkbox"/> Selection of Labor (Eff. 1-1-99)	11
LRS 14	<input type="checkbox"/> Paving Brick and Concrete Paver Pavements and Sidewalks (Eff. 1-1-04) (Rev. 1-1-07)	11
LRS 15	<input type="checkbox"/> Partial Payments (Rev. 1-1-07)	11

CHECK SHEET #LRS7

State of Illinois
Department of Transportation
Bureau of Local Roads and Streets

SPECIAL PROVISION FOR BIDDING REQUIREMENTS AND CONDITIONS FOR MATERIAL PROPOSALS

Effective: January 1, 2002

Revised: January 1, 2003

Prequalification of Bidders. County or Municipality. When prequalification is required and the awarding authority for contract construction work is the County Board of a County, the Council, the City Council, or the President and Board of Trustees of a city, village, or town, each prospective bidder, in evidence of competence, shall furnish the awarding authority as a prerequisite to the release of proposal forms by the awarding authority, a certified or photostatic copy of a "Certificate of Eligibility" issued by the Department of Transportation, in accordance with the Department's "Prequalification Manual".

The two low bidders must file, within 24 hours after the letting, a sworn affidavit in triplicate, showing all uncompleted contracts awarded to them and all low bids pending award for Federal, State, County, Municipal and private work, using the blank form made available for this affidavit. One copy shall be filed with the awarding authority and two copies with the District office.

Issuance of Proposal Forms. The Awarding Authority reserves the right to refuse to issue a proposal form for bidding purposes for any of the following reasons:

- (a) Lack of competency and adequate machinery, plant, and other equipment, as revealed by the financial statement and experience questionnaires required in prequalification procedures.
- (b) Uncompleted work which, in the judgement of the Awarding Authority, might hinder or prevent the prompt completion of additional work awarded.
- (c) False information provided on a bidder's "Affidavit of Availability".
- (d) Failure to pay, or satisfactorily settle, all bills due for labor and material on former contracts in force at the time of issuance of proposal forms.
- (e) Failure to comply with any prequalification regulations of the Department.
- (f) Default under previous contracts.
- (g) Unsatisfactory performance record as shown by past work for the Awarding Authority, judged from the standpoint of workmanship and progress.
- (h) When the Contractor is suspended from eligibility to bid at a public letting where the contract is awarded by, or requires approval of, the Department.

CHECK SHEET #LRS7

- (i) When any agent, servant, or employee of the prospective bidder currently serves as a member, employee, or agent of a governmental body that is financially involved in the proposal work.
- (j) When any agent, servant, or employee of the perspective bidder has participated in the preparation of plans or specifications for the proposed work.

Interpretation of Quantities in the Bid Schedule. The quantities appearing in the bid schedule are approximate and are prepared for the comparison of bids. Payment to the Contractor will be made only for the actual quantities of work performed and accepted or materials furnished according to the contract. The scheduled quantities of work to be done and materials to be furnished may be increased, decreased or omitted as hereinafter provided.

Examination of Material Proposal, Specifications, Special Provisions, and Site of Work. The bidder shall, before submitting a bid, carefully examine the provisions of the proposal. The bidder shall inspect in detail the site of the proposed work, investigate and become familiar with all the local conditions affecting the work and fully acquaint themselves with the detailed requirements of the work. Submission of a bid shall be a conclusive assurance and warranty the bidder has made these examinations and the bidder understands all requirements for the performance of the work. If his/her bid is accepted, the bidder will be responsible for all errors in the proposal resulting from his/her failure or neglect to comply with these instructions. The Awarding Authority will, in no case, be responsible for any costs, expenses, losses, or change in anticipated profits resulting from such failure or neglect of the bidder to make these examinations.

The bidder shall take no advantage of any error or omission in the proposal. Any prospective bidder who desires an explanation or interpretation of the specification, or any of the documents, shall request such in writing from the Awarding Authority, in sufficient time to allow a written reply by the Awarding Authority that can reach all prospective bidders before the submission of their bids. Any reply given a prospective bidder concerning any of the documents and specifications will be furnished to all prospective bidders in the form determined by the Awarding Authority including, but not limited to, an addendum, if the information is deemed by the Awarding Authority to be necessary in submitting bids or if the Awarding Authority concludes the information would aid competition. Oral explanations, interpretations or instructions given before the submission of bids unless at a prebid conference will not be binding on the Awarding Authority.

Preparation of the Proposal. Bidders shall submit their proposals on the form furnished by the Awarding Authority. The proposal shall be executed properly, and bids shall be made for all items indicated in the proposal form, except when alternate bids are asked, a bid on more than one alternate for each item is not required, unless otherwise provided. The bidder shall indicate in figures, a unit price for each of the separate items called for in the proposal form; the bidder shall show the products of the respective quantities and unit prices in the column provided for that purpose, and the gross sum shown in the place indicated in the proposal form shall be the summation of said products. All writing shall be with ink or typewriter, except the signature of the bidder which shall be written in ink.

CHECK SHEET #LRS7

When prequalification is required, the proposal form shall be submitted by an authorized bidder in the same name and style as shown on the "Contractor's Statement of Experience and Financial Condition" used for prequalification and shall be submitted in like manner.

Rejection of Proposals. The Awarding Authority reserves the right to reject any proposal for any of the conditions in "Issuance of Proposal Forms" or for any of the following reasons:

- (a) More than one proposal for the same work from an individual, firm, partnership, or corporation under the same name or different names.
- (b) Evidence of collusion among bidders.
- (c) Unbalanced proposals in which the bid prices for some items are, in the judgement of the Awarding Authority, out of proportion to the bid prices for other items.
- (d) If the proposal does not contain a unit price for each pay item listed, except in the case of authorized alternate pay items or lump sum pay items.
- (e) If the proposal form is other than that furnished by the Awarding Authority; or if the form is altered or any part thereof is detached.
- (f) If there are omissions, erasures, alterations, unauthorized additions, conditional or alternate bids, or irregularities of any kind which may tend to make the proposal incomplete, indefinite or ambiguous as to its meaning.
- (g) If the bidder adds any provisions reserving the right to accept or reject an award, or to enter into a contract pursuant to an award.
- (i) If the proposal is not accompanied by the proper proposal guaranty.
- (i) If the proposal is prepared with other than ink or typewriter, or otherwise fails to meet the requirements of the above "Preparation of Proposal" section.

Proposal Guaranty. Each proposal shall be accompanied by a bid bond on the Department form contained in the proposal, executed by a corporate surety company satisfactory to the Awarding Authority, by a bank cashier's check or a properly certified check for not less than five percent of the amount bid, or for the amount specified in the following schedule:

Amount Bid		Proposal Guaranty
Up to	\$5,000	\$150
\$5,000	\$10,000	\$300
\$10,000	\$50,000	\$1,000
\$50,000	\$100,000	\$3,000
\$100,000	\$150,000	\$5,000
\$150,000	\$250,000	\$7,500
\$250,000	\$500,000	\$12,500
\$500,000	\$1,000,000	\$25,000
\$1,000,000	\$1,500,000	\$50,000

CHECK SHEET #LRS7

Amount Bid		Proposal Guaranty
\$1,500,000	\$2,000,000	\$75,000
\$2,000,000	\$3,000,000	\$100,000
\$3,000,000	\$5,000,000	\$150,000
\$5,000,000	\$7,500,000	\$250,000
\$7,500,000	\$10,000,000	\$400,000
\$10,000,000	\$15,000,000	\$500,000
\$15,000,000	\$20,000,000	\$600,000
\$20,000,000	\$25,000,000	\$700,000
\$25,000,000	\$30,000,000	\$800,000
\$30,000,000	\$35,000,000	\$900,000
Over	\$35,000,000	\$1,000,000

In the event that one proposal guaranty check is intended to cover two or more proposals, the amount must equal to the sum of the proposal guaranties which would be required for each individual proposal.

Bank cashier's checks or properly certified checks accompanying proposals shall be made payable to the County Treasurer, when a County is the awarding authority; or the City, Village, or Town Treasurer, when a city, village, or town is the awarding authority.

If this proposal contains various groups and the bidder has the option of bidding on one or several groups, the bidder may provide a separate proposal guaranty for each group or combination of groups in lieu of a single proposal guaranty to cover the amount bid for the entire proposal. Each proposal guaranty shall identify the groups covered by the individual proposal guaranty. The required value of the proposal guaranty shall be based on the sum of the total bids for each group covered by the individual proposal guaranty.

The proposal guaranty checks of all, except the two lowest responsible, will be returned promptly after the proposals have been checked, tabulated, and the relation of the proposals established. Proposal guaranty checks of the two lowest bidders will be returned as soon as the contract and contract bond of the successful bidder have been properly executed and approved. If a contract bond is not required, the proposal guaranty check will be held in lieu thereof. Bid bonds will not be returned.

The awarding authority may deny the use of a bid bond as a proposal guaranty but may not further restrict the proposal guaranty. The Notice of Material Letting will state whether a bid bond is allowed.

Delivery of Proposals. If a special envelope is supplied by the Awarding Authority, each proposal should be submitted in that envelope furnished by the Awarding Authority and the blank spaces on the envelope shall be filled in correctly to clearly indicate its contents. When an envelope other than the special one furnished by the Awarding Authority is used, it shall be marked to clearly indicate its contents. When sent by mail, the sealed proposal shall be addressed to the Awarding Authority at the address and in care of the official in whose office the bids are to be received. All proposals shall be filed prior to the time and at the place specified in the Notice to Bidders. Proposals received after the time specified will be returned to the bidder unopened.

CHECK SHEET #LRS7

Withdrawal of Proposals. Permission will be given a bidder to withdraw a proposal if the bidder makes the request in writing or in person before the time for opening proposals.

Public Opening of Proposals. Proposals will be opened and read publicly at the time and place specified in the Notice to Bidders. Bidders, their authorized agents and other interested parties are invited to be present.

Consideration of Proposals. After the proposals are opened and read, they will be compared on the basis of the summation of the products of the quantities shown in the bid schedule by the unit bid prices. In the event of a discrepancy between unit bid prices and extensions, the unit bid price shall govern. In awarding the supply of materials, the Awarding Authority will, in addition to considering the amounts stated in the proposals, take into consideration the responsibility of the various bidders as determined from a study of the data required under "Prequalification of Bidders", and from other investigations which it may elect to make.

The right is reserved to reject any or all proposals, to waive technicalities or to advertise for new proposals, if in the judgement of the Awarding Authority, the best interests of the Awarding Authority will be promoted thereby.

Acceptance of Proposal to Furnish Material. The award will be made within 45 calendar days after the opening of proposals to the lowest responsible and qualified bidder whose proposal complies with all the requirements prescribed. The successful bidder will be notified by letter of intent that his/her bid has been accepted, and subject to the following conditions, the bidder will be the Contractor or Supplier.

An acceptance of proposal to furnish materials executed by the Awarding Authority is required before the Awarding Authority is bound. An award may be cancelled any time by the Awarding Authority prior to execution in order to protect the public interest and integrity of the bidding process or for any other reason if, in the judgement of the Awarding Authority, the best interests of the Awarding Authority will be promoted thereby.

If a material proposal is not awarded within 45 days after the opening of proposals, bidders may file a written request with the Awarding Authority for the withdrawal of their bid, and the Awarding Authority will permit such withdrawal.

Requirement of Contract Bond. If the Awarding Authority requires a Contract Bond, the Contractor or Supplier shall furnish the Awarding Authority a performance and payment bond with good and sufficient sureties in the full amount of the award as the penal sum. The surety shall be acceptable to the Awarding Authority, shall waive notice of any changes and extensions of time, and shall submit its bond on the form furnished by the Awarding Authority.

The contract bond shall be returned within 15 days after the notice of award. Failure of the successful bidder to execute and file acceptable bonds within 15 days after the notice of award has been mailed to the bidder shall be just cause for the cancellation of the award and the forfeiture of the proposal guaranty which shall become the property of the Awarding Authority, not as penalty, but in liquidation of damages sustained. Award may then be made to the next lowest responsible bidder, or the work may be readvertised, or otherwise, as the Awarding Authority may decide.

CHECK SHEET #LRS7

If the bidder to whom the award is made is a corporation organized under the laws of a State other than Illinois, the bidder shall furnish the Awarding Authority a copy of the corporation's Certificate of Authority to do business in the State of Illinois with the return of the contract bond. Failure to furnish such evidence of a Certificate of Authority within the time required will be considered as just cause for the annulment of the award and the forfeiture of the proposal guaranty to the Awarding Authority, not as a penalty, but in payment of liquidated damages sustained as a result of such failure.

Failure to Execute the Acceptance of Proposal to Furnish Material. If the acceptance of proposal to furnish material is not executed by the Awarding Authority within 15 days following receipt from the bidder of the properly executed bonds, the bidder shall have the right to withdraw his/her bid without penalty.



**Illinois Department
of Transportation**

SECTION 07-00000-00-GM

**Material Proposal
Schedule of Prices**

Group No.	Items	Delivery	Unit	Quantity	Unit Price	Total
	(CRS-2 COVER & SEAL COAT)			56,000.00		
I	BITUMINOUS MATERIALS SPL (CRS-2 COVER COAT)	CITY STREET	GAL	8,000.00		
I	(CA-14 SPREAD ONLY) NOTE: #2			350.00		
I	COVER COAT AGGREGATE (CA-16 SPREAD ONLY)	CITY STREET	TON	570.00		
I	COVER COAT AGGREGATE (BOILER SLAG SPREAD	CITY STREET	TON	930.00		
I	COVER COAT AGG. SPECIAL (BOILER SLAG SPREAD	CITY STREET	TON	240.00		
I	NOTES: #1 BIT MATERIALS APPLICATION RATES ARE: SEAL & COVER COAT CA-14 & CA-16 = 1 GALLON/SQ.YD., COVER COAT BOILER SLAG = 0.20 GALLON/SQ.YD. #2 CA-14 & CA-16 AGGREGATE APPLICATION RATE = 22 POUNDS/SQ.YD. #3 BOILER SLAG AGGREGATE APPLICATION RATE = 12 POUNDS/SQ.YD.					
II	CA-14 100% CRUSHED STONE FURNISHED (F.O.B. TRUCKS AT CITY	CITY STOCKPILE	TON	350.00		
II	NOTES: #4 ALL MATERIAL SHALL BE DELIVERED IN TOTAL OR PARTIAL SHIPMENT AS ORDERED BY THE CITY ANY TIME BEFORE THE CALENDAR DATE OF MAY 1, 2007. BIDDERS SHALL BID ON ALL ITEMS IN GROUP II					

GROUP NO.	Items	Delivery	Unit	Quantity	Unit Price	Total
III	JOINT SEALANT (MATERIAL ONLY)	221 N. 12 th STREET	POUND	60,000.00		
III	<u>BIDDERS SHALL BID ON ALL ITEMS IN GROUP III.</u>					
IV	CLASS SI PAVING MIX (P.C.C CONCRETE	CITY STREET	CU.YD .	160.00		
IV	CLASS SI C & G MIX (P.C.C CONCRETE	CITY STREET	CU.YD .	30.00		
	<u>BIDDERS SHALL BID ON ALL ITEMS IN GROUP IV.</u>					

The undersigned firm certifies that it has not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois, nor has the firm made an admission of guilt of such conduct which is a matter of record, nor has an official, agent or employee of the firm committed bribery or attempted bribery on behalf of the firm and pursuant to the direction or authorization of a responsible official of the firm. The undersigned firm further certifies that it is not barred from contracting with any unit of State or local government as a result of a violation of State laws prohibiting bid-rigging or bid rotating.

Signature of Bidder

Address



Special Provisions

The following Special Provisions supplement the "Standard Specifications for Road and _____", the latest edition of the "Manual on Uniform Traffic _____ and Highways", and the "Manual of Test Procedures of Materials" in effect on the date of invitation to bid, and the Supplemental Specifications and Recurring Special Provisions indicated on the _____ and govern the _____, and in case of conflict with the _____ parts, of said Specifications, the said Special Provisions shall take precedence and shall govern.

GROUP I:

DESCRIPTION OF WORK:

ALL WORK WITHIN IN THIS "GROUP I" OF BITUMINOUS SURFACE TREATMENTS ON THE CITY OF MATTOON STREETS SHALL BE COMPLETED BEFORE THE CALENDAR DATE OF JULY 15, 2007. THERE SHALL BE NO EXCEPTIONS.

STOCKPILE LOCATIONS:

CRUSHED STONE CA-14 & CA-16 IS LOCATED AT THE CITY LOGAN STREET WASTE AND STOCKPILE SITE ON THE EAST SIDE OF THE CITY.

THE BOILER SLAG STOCKPILE IS LOCATED ON THE CLOSED CITY STREET OF SHELBY FROM 12th TO 13th STREETS, OR CLOSER TO THE TIF DISTRICT AREA, A CENTRALLY LOCATED STOCKPILE.

STREET PREPARATIONS:

THE CITY OF MATTOON SHALL SWEEP AND PATCH ALL STREETS TO BE IMPROVED PRIOR TO CONTRACTOR OPERATIONS.

TRAFFIC CONTROL:

THE CITY OF MATTOON SHALL PROVIDE TWO (2) EMPLOYEES TO REMOVE VEHICLES FROM THE STREET PRIOR TO CONTRACTOR OPERATIONS, AND SHALL BE WITH THE CONTRACTOR DURING HIS OPERATIONS FOR ADDITIONAL TRAFFIC CONTROL USAGE.

ALL OTHER TRAFFIC CONTROL IS THE RESPONSIBILITY AND COST TO THE CONTRACTOR, EXCEPT FOR THE DOWNTOWN TIF STREETS. THE CITY WILL PROVIDE ALL NECESSARY MANPOWER TO CLOSE STREETS, DIVERT AND CONTROL THE TRAFFIC OF THE DOWNTOWN TIF STREETS DURING THE CONTRACTOR OPERATIONS.

COVER COAT AGGREGATE (BOILER SLAG):

THE CONTRACTOR SHALL MAKE *ONE PASS* OVER THE SPREAD BOILER SLAG COVER COAT MATERIAL WITH A STEEL DRUM ROLLER PRIOR TO ROLLING THE BOILER SLAG WITH TWO (2) PNEUMATIC TIRE ROLLERS. THE NUMBER OF STEEL DRUM ROLLERS NECESSARY TO BE USED IS AT THE CONTRACTORS DISCRETION. THE CONTRACTOR SHALL BE AWARE OF THE NECESSITY OF QUALITY ROLLING OVER BOILER SLAG. THESE ROLLER REQUIREMENTS ARE REQUIRED FOR COVER COAT AGGREGATE. SPECIAL. ALL EQUIPMENT SHALL CONFORM TO THE SPECIFICATIONS OF ARTICLE 403 OF THE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.

CITY OF MATTOON
SECTION 07-00000-00-GM

THIS WORK AND EQUIPMENT IS INCIDENTAL TO THE PER TON UNIT COST OF COVER COAT AGGREGATE (BOILER SLAG SPREAD ONLY) AND NO OTHER COMPENSATION SHALL BE ALLOWED.

TIF DISTRICT STREETS:

THE WORK AND MATERIALS FOR THE TIF DISTRICTS STREETS OF DOWNTOWN MATTOON SHALL BE DONE IN THE MORNING HOURS OF MIDNIGHT TO EIGHT (8) A.M. THE PURPOSE OF THIS WORK HOURS IS TO FACILITATE THE CONTRACTOR OPERATIONS AND TRAFFIC CONTROL, AND FOR THE WORK TO BE COMPLETED ON SAID TIF STREETS IN THE MINIMUM WORK DAYS. THE AREA INVOLVED IS ESTIMATED TO BE 40,000 SQUARE YARDS INCLUDING RADII.

AS STATED IN THE TRAFFIC SPECIAL PROVISION THE CITY OF MATTOON SHALL PROVIDE ALL ITS MANPOWER NEEDED TO CLOSE THE STREETS, DIVERT AND CONTROL THE LOCAL TRAFFIC FOR THE TIF STREETS.

THIS WORK AND MATERIALS SHALL BE PAID FOR AT THE UNIT COSTS OF THE SPECIAL PAY ITEMS INVOLVED; THE UNIT COSTS PER GALLON OF *BITUMINOUS MATERIALS SPECIAL (CRS-2 COVER COAT)* AND THE UNIT COST PER TON OF *COVER COAT AGGREGATE SPECIAL (BOILER SLAG SPREAD ONLY)*, AND NO OTHER COMPENSATION SHALL BE ALLOWED.

A MAP OF THE TIF ROADS CAN BE ACQUIRED FROM THE PUBLIC WORKS STREET DEPARTMENT FOR BIDDING PURPOSES IF DESIRED BY THE CONTRACTOR. CALL 235-5171 FOR TIM DAILY.

THE CITY, OF ITS OWN CHOOSING, MAY REQUIRE WORK ON THE TIF STREETS TO BE DONE DURING NORMAL HOURS IF THE CITY DEEMS FEASIBLE AFTER CONSULTING WITH THE CONTRACTOR. IF SO THEN THOSE SPECIAL PAY ITEMS WILL NOT BE USED BUT THE NORMAL PAY ITEMS OF BITUMINOUS MATERIALS (CV & SL COAT) & COVER COAT

AGGREGATE SHALL TAKE PRECEDENCE. AND NO OTHER COMPENSATION SHALL BE ALLOWED.

GROUP II:

BILLING:

THE BIDDER SHALL TAKE NOTE THAT ALL BILLS TO THE CITY SHALL HAVE THE SECTION NUMBER OF THIS SAID MATERIAL PROPOSAL (07-00000-00-GM) ON ALL BILLS. BILLS SHALL ALSO HAVE THE BID PRICE AND CORRECT TOTALS DUE ON SAID BILLS.

THERE SHALL BE NO PAYMENT TO THE BIDDER WITHOUT CORRECT BILLING, AND NO OTHER COMPENSATION SHALL BE ALLOWED

GROUP III:

JOINT SEALANT:

THIS MATERIAL SHALL BE A SINGLE COMPONENT, HOT-APPLIED PETROLEUM PRODUCT WHICH IS USED TO SEAL AND FILL CRACKS AND JOINTS IN PAVEMENT.

THE MATERIAL SHALL MEET THE SPECIFICATIONS NECESSARY TO BE USED IN PRESSURE FEED MELTER APPLICATIONS.

AT APPLICATION TEMPERATURE THE JOINT SEALER SHALL BE FREE FLOWING, SELF-LEVELING PRODUCT.

**CITY OF MATTOON
SECTION 07-00000-00-GM**

FURTHER SPECIFICATIONS:

ASTM D6690, TYPE 1, "JOINT AND CRACK SEALANTS, HOT APPLIED, FOR CONCRETE AND ASPHALT PAVEMENTS", AASHTO M173 AND FEDERAL SPECIFICATION SS-S-164.

**TEST
LIMITS**

ASTM D6690, TYPE 1 SPEC.

**CONE PENETRATION
FLOW
BOND, 0 DEGREES F(-18C) 50% EXT.
ASPHALT COMPATIBILITY
RECOMMENDED POUR TEMP.
SAFE HEATING TEMP.**

**90 MAX.
5 MM MAX.
PASS 5 CYCLES
PASS
380 DEGREES F
410 DEGREES F**

GROUP IV:

BILLING:

THE BIDDER SHALL TAKE NOTE THAT ALL BILLS TO THE CITY SHALL HAVE THE SECTION NUMBER OF THIS SAID MATERIAL PROPOSAL (07-00000-00-GM) ON ALL BILLS. BILLS SHALL ALSO HAVE THE BID PRICE AND CORRECT TOTALS DUE ON SAID BILLS.

THERE SHALL BE NO PAYMENT TO THE BIDDER WITHOUT CORRECT BILLING, AND NO OTHER COMPENSATION SHALL BE ALLOWED.

**City of Mattoon
Council Decision Request**

MEETING DATE: 12/05/06 CDR NO: 2006-688 SUBJECT: Award Bid for new Mobile
Radios
vehicles
for all Mattoon Police Dept. fleet

SUBMITTAL DATE: 11/29/06

SUBMITTED BY: Larry L. Metzelaars, Chief of Police, Mattoon Police Dept.

APPROVED FOR Alan Gilmore
COUNCIL AGENDA: City Administrator _____
Date

EXHIBITS (If applicable):

EXPENDITURE	AMOUNT	FUNDING	CONTINGENCY
ESTIMATE: \$35,155.00	BUDGETED: None		REQUIRED: None

IF IT IS THE WISH OF THE COUNCIL TO SUPPORT RECOMMENDATIONS
CONTAINED IN THIS REPORT, THE FOLLOWING MOTION IS SUGGESTED:

“I move that the City Council authorize the Chief of Police to purchase 25 mobile radios including removal/installation from Roy Walker Communications, Inc., Effingham, IL for the amount of \$35,155.00 to be paid from Federal Sharing Funds (Omega Account).”

SUMMARY OF THE TOPIC FOR WHICH A COUNCIL DECISION IS REQUESTED:

On 11-7-06 the Mattoon City Council authorized Chief Larry Metzelaars to advertise for bids for
25 replacement mobile radios for Mattoon Police Department's fleet vehicles. Three bids were received as follows:

Roy Walker communications, Inc., Effingham, IL	\$35,155.00
Barbeck Communications Group, Champaign, IL	\$48,156.25
Buchanan Communications, Inc., Mt. Zion, IL	\$42,300.13

Chief Larry Metzelaars recommends that the bid of Roy Walker Communications, Inc. in the amount of \$35,155.00 be accepted. It is the lowest bid, and the company's proposed radio equipment meets all specifications for equipment, installation/removal, service, warranty, and trade-ins, and is expected to satisfactorily serve MPD's needs for several years into the future.

MEETING DATE:	12/05/2006	CDR NO: 2006-689	SUBJECT:
			Arts Council
			Appointments
SUBMITTAL DATE:	11/30/2006		
SUBMITTED BY:	Susan J. O'Brien, City Clerk		
EXHIBITS (If applicable):	N/A		

EXPENDITURE FUNDING	AMOUNT	CONTINGENCY
ESTIMATE:	N/A	BUDGETED: \$21,000
		REQUIRED: N/A

IF IT IS THE WISH OF THE COUNCIL TO SUPPORT RECOMMENDATIONS CONTAINED IN THIS REPORT, THE FOLLOWING MOTION IS SUGGESTED:

“I move to appoint Julie Wilkerson and Janahn Kolden, and to re-appoint Scott Claypool and Beth Hildebrandt to the Mattoon Arts Council for two-year terms expiring on September 30, 2008.”

SUMMARY OF THE TOPIC FOR WHICH A COUNCIL DECISION IS REQUESTED:

Resolution 99-2224, adopted October 5, 1999, created the Mattoon Arts Council, consisting of eleven persons. Six of the members must be residents of Mattoon.

The purpose of the Council is to develop a program for the promotion of fine arts and cultural development in Mattoon. The Council has been authorized to solicit grants, contributions and sources of funds to support its efforts.

Commissioner Randy Ervin has confirmed the re-appointments and selected the new members.

Julie Wilkerson; 424 South Main Street; Sullivan, IL 61951 phone 728-4829
Janahn Kolden; 1220 Edgar Avenue; Mattoon, IL 61938 phone 234-7815

Ms. Wilkerson will replace Pat Gaines, whose term expired 09-30-2006.
Ms. Kolden will replace Beth Ellen Covington, whose term expired 9-30-2006.

With these appointments, there will be one future appointment for Rich Fanelli's term, which expired 09-30-2006.

Upon approval of this CDR, present members are:

Tom LeVeck	Scott Claypool	JoAnn Homann
Beth Hildebrandt	Carl Lebovitz	Janahn Kolden
Tom Hawk	Robert McClean	
Julie Wilkerson	Jennie Cisna	

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2006-2675

**A RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH
THE COLES COUNTY REGIONAL PLANNING AND DEVELOPMENT
COMMISSION FOR GEOGRAPHIC INFORMATION SYSTEM (GIS) SUPPORT
SERVICES**

WHEREAS, the City of Mattoon has an agreement with Coles County Regional Planning and Development Commission to provide technical staff in updating its road, water and sewer utility system maps and records in a geographical information system for preparation of its Comprehensive Plan and Capital Improvement Program; and

WHEREAS, the term of this agreement ends November 30, 2006 and after negotiating with Coles County Regional Planning and Development Commission and the City's departments, both have agreed to extend the agreement to align with the City's fiscal year, ending April 30, 2007.

BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS that the mayor is authorized on behalf of the City Council, to sign an *"Amendment #1 To 2005 - 2006 Geographic Information System (GIS) Support Services Agreement between the City of Mattoon and the Coles County Regional Planning & Development Commission"*, a copy of which is attached and incorporated herein by reference.

Upon motion by _____, seconded by _____, adopted this _____ day of _____, 2006, by a roll call vote, as follows:

AYES (Names): _____

NAYS (Names): _____

ABSENT (Names): _____

Approved this _____ day of _____, 2006.

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on _____, 2006.

***Amendment #1 To 2005 - 2006 Geographic Information System (GIS)
Support Services Agreement between the City of Mattoon and the Coles
County Regional Planning & Development Commission:***

Extension of Services Agreement Ending Date

In consideration of continued support services provided under the above referenced 2005 - 2006 Geographic Information System (GIS) Support Services Agreement, the ending date of November 30, 2006 in said Agreement is hereby extended to April 30, 2007. All other contract agreement provisions remain unchanged and in effect. Approved by the City of Mattoon, Illinois City Council on December 5, 2006.

FOR THE CITY:

FOR THE COMMISSION:

Mayor

CCRP & DC Commission Chairman

City Clerk

CCRP & DC Executive Director

(SEAL)

(SEAL)

CITY OF MATTOON

RESOLUTION NO. 2006-2676

**RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENT FOR
TECHNICAL ASSISTANCE SERVICES WITH THE COLES COUNTY
REGIONAL PLANNING AND DEVELOPMENT COMMISSION**

WHEREAS, the **City of Mattoon** has selected the Coles County Regional Planning and Development Commission to provide certain Technical Assistance Services to the **City**; and

WHEREAS, the **City Council** has examined the proposed contract agreement a copy of which is attached hereto and incorporated by reference and entitled "Technical Assistance Agreement" Between the **City of Mattoon IL** and the Coles County Regional Planning and Development Commission," and finds said contract agreement to be

acceptable,

NOW, THEREFORE, BE IT RESOLVED by the **City Council** of the **City of Mattoon**, Illinois, that the **City** enter into and execute said Contract Agreement with the Coles County Regional Planning and Development Commission. The **Mayor** is authorized to execute said Agreement.

Presented, Passed and Adopted at a regular meeting of the **Mattoon City Council** this _____ day of _____, **2006**.

AYE

NAY

ABSENT

Mayor: Charles White

City Council

David Cline
Randy Ervin
Joseph McKenzie
David Schilling

ATTEST:

APPROVED:

City Clerk

Mayor

(SEAL)

**STATE OF ILLINOIS)
CITY OF MATTOON)
COUNTY OF COLES)**

I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the **City of Mattoon**, the County and State aforesaid, and as such Clerk I am the keeper of the records and files of the **Mayor** and the **City Council** of the **City of Mattoon**.

I do further certify that the attached and foregoing is a true and correct document of the Resolution entitled:

**RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENT FOR
TECHNICAL ASSISTANCE SERVICES WITH THE COLES COUNTY
REGIONAL PLANNING AND DEVELOPMENT COMMISSION**

as adopted by the **Mayor** and **City Council** of the **City of Mattoon** at its regular meeting held on _____, **2006**, all as it appears from the official records of said **City** in my care and custody.

IN WITNESS WHEREOF, I have hereunto affixed by official signature and corporate seal of said **City of Mattoon**, Illinois, the _____ day of _____, **2006**.

City Clerk

(SEAL)

**TECHNICAL ASSISTANCE AGREEMENT BETWEEN THE CITY OF
MATTOON IL AND THE COLES COUNTY REGIONAL
PLANNING AND DEVELOPMENT COMMISSION**

THIS AGREEMENT MADE THIS _____ day of _____, 2006 between the Coles County Regional Planning and Development Commission, hereinafter known as the "Commission" and the **City of Mattoon**, a municipal corporation, hereinafter called the "**City**."

WITNESSETH: In consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. The Commission agrees to provide professional and technical services to the **City** from **December 1, 2006 to November 30, 2007**. The professional and technical services shall be performed by the Commission under the direction of the **City** (See Attachment "**A**" for a description of these services). Attachment **A** is hereby incorporated and made part of this Agreement.

2. The **City** hereby agrees to enter into a contract agreement for actual services rendered for a maximum sum of **\$20,000** to be billed on a monthly basis. The Commission shall bill the **City** for services rendered for the prior month. Said payments shall be made by the **City** within 30 days following each statement. Statements will reflect expenses to-date and the amount remaining in the contract and will be provided to the **City**.

3. All costs in the execution of this Agreement shall be borne by the funds allocated herein. *If the Commission does not perform any services for the **City**, no charge against the estimated sum shall be made.*

4. If the **City** wishes to continue contracting for assistance which goes beyond the estimated sum of this Agreement, said Agreement shall be amended as follows:

At the request of the **City**, The Commission shall prepare an amendment to this Agreement outlining the estimated additional costs. Upon mutual agreement, both parties will enter into an Agreement Amendment, which will be made and attached hereto.

Other Provisions

1. Termination: This contract may be terminated by the **City** with or without cause. Under this event, the Commission shall be paid for all unpaid services rendered under this Agreement up to the date of this Agreement's termination, within thirty (30) days of the date of termination.

2. Hold Harmless Agreement: The **City** shall save the Commission harmless from any and all claims, demands, and actions based upon or arising out of any services performed by the Commission, their associates, and their employers under this Agreement, due to errors and omissions by the **City**. The **City** agrees to have all Commission work reviewed by licensed professionals as applicable and appropriate.

THIS AGREEMENT constitutes the entire Agreement between the parties hereto, and no changes or additions to said Agreement shall be valid unless in writing and signed by the parties hereto. This Agreement shall be interpreted and construed according to the laws of the State of Illinois.

IN WITNESS WHEREOF, the parties hereto have affixed their hands and seals this _____ day of _____, 2006.

FOR THE **CITY**

FOR THE COMMISSION

MAYOR

CCRP&DC, Commission Chairman

CITY CLERK

CCRP&DC, Executive Director

(SEAL)

(SEAL)

ATTACHMENT A

Coles County Regional Planning and Development Commission (CCRP&DC) **Listing of Contractual Services**

(May include one, several, or all services listed below depending on the services authorized by the local government client. All services to be billed as indicated in the agreement.)

- *Planning (transportation, community, infrastructure, economic)
- *Zoning/Planning Map Preparation/Graphics
- *Intergovernmental Relations Assistance (incl. access to state/fed funding agency personnel & programs)
- *Grant Application Assistance
- *Grant Administration Assistance
- *TIF District Technical Assistance and Support
- *Other Duties as assigned by City Council and/or City Administrator

**Coles County Regional Planning & Development Commission
651 Jackson, Room 309
Charleston, IL 61920**

Ph #: (217) 258-0521

November 17, 2006

Alan Gilmore
City Administrator
City of Mattoon
208 N. 19th
Mattoon, IL 61938

RE: Coles County Regional Planning & Development Commission (CCRP&DC)
FY 2007 Technical Services Agreement; City of Mattoon

Dear Alan

As you may be aware, Coles County Regional Planning & Development Commission's (CCRP&DC's) Fiscal Year begins December 1st of each calendar year. Accordingly, please find enclosed two (2) originals of the above referenced Agreement. It is worded the same as last year's. We are recommending review by the Municipal Attorney prior to passage. We are proposing a budget that is the same as last year's *plus the amendment passed earlier this year for a total of \$20,000. Our actual costs for FY '07 TA Services will hopefully be considerably less. Also, please note that we've added "TIF District Technical Assistance and Support" under "Attachment A".* This agreement *still* covers traditional services we've rendered to Mattoon (Zoning Map, Grants etc; Revolving Loan Fund Administration is a separate contract which is being sent to you). Please note that charges against the Agreement are made *only* for services actually rendered. After passage and signature, please return *both* agreements and *one* resolution. We will execute both original agreements and return one to you. At your request, we will send a member of our staff meet with you to explain our services. We thank you for your past support, and look forward to serving your community in the coming year.

As always, please do not hesitate to contact me at 348-0521 should you have any questions on this Agreement. Thanks, Alan, for your help with this.

Sincerely,

Doug McDermid
Executive Director

cc: Preston Owen, City Attorney – City of Mattoon

DM:kjc

Enc.

Public on nt server/2007 TA Contracts/Mattoon 07 TA Ltr.

CITY OF MATTOON

RESOLUTION NO.2006-2677

***RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENT
FOR REVOLVING LOAN FUND ADMINISTRATION & COORDINATION
SERVICES WITH THE COLES COUNTY REGIONAL PLANNING &
DEVELOPMENT COMMISSION***

WHEREAS, the **City of Mattoon** operates a State of Illinois capitalized Revolving Loan Fund, and;

WHEREAS, the Coles County Regional Planning and Development Commission has been deemed by the **City Council** as qualified to administer said Revolving Loan Fund, said Commission furnishing a proposed contract agreement for Revolving Loan Fund administration services to the **City**, and

WHEREAS, The **City Council** has examined the proposed contract agreement, entitled "Contract Agreement for Administration and Coordination Services for State Capitalized Revolving Loan Fund," and finds the agreement to be acceptable.

NOW, THEREFORE, BE IT RESOLVED by the **Mayor** and **City Council** of the **City of Mattoon, Coles County**, Illinois that the **City** enter into and execute this Contract Agreement for Administrative Services with the Coles County Regional Planning and Development Commission. The **Mayor** is authorized to execute said AGREEMENT.

Presented, Passed and Adopted at a regular meeting of the **City Council** of the **City of Mattoon**, Illinois, this _____ day of _____, 2006.

AYE **NAY** **ABSENT**

Mayor: Charles White

City Council

David Cline
Randy Ervin
Joseph McKenzie
David Schilling

Approved:

Mayor

Attest:

City Clerk
(SEAL)

STATE OF ILLINOIS)
CITY OF MATTOON)
COUNTY OF COLES)

I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the **City of Mattoon**, the County and State aforesaid, and as such Clerk I am the keeper of the records and files of the Mayor and **City Council** of the **City**.

I do further certify the attached foregoing is a true and correct document of the Resolution entitled:

RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENT
FOR REVOLVING LOAN FUND ADMINISTRATION & COORDINATION
SERVICES WITH THE COLES COUNTY REGIONAL PLANNING &
DEVELOPMENT COMMISSION

as adopted by the Mayor and **City Council** of the said **City** at its regular meeting held on _____, **2006** and as approved by the **Mayor** of said **City** on the _____ day of _____, **2006**, as it appears from the official records of said **City** in my care and custody.

IN WITNESS WHEREOF, I have hereunto affixed by official signature and the corporate seal of said **City of Mattoon**, Illinois, the _____ day of _____, **2006**.

City Clerk

(SEAL)

CONTRACT AGREEMENT
FOR ADMINISTRATION AND COORDINATION SERVICES
FOR STATE CAPITALIZED REVOLVING LOAN FUND

THIS AGREEMENT, made and entered into this _____ day of _____, 2006 by and between the **City of Mattoon**, Illinois (hereinafter referred to as the "**City**") and the Coles County Regional Planning and Development Commission, Charleston, Illinois, (hereinafter referred to as the "Commission"), covers certain administrative and coordination services to be furnished in connection to a revolving loan capitalized by the State of Illinois.

Description of Project

The administration/coordination of **City's** State of Illinois capitalized Revolving Loan Fund.

WITNESSETH THAT, in consideration of these premises and the mutual covenants herein set forth,

THE COMMISSION AGREES to perform the following duties for the **City** in consultation with the **Mayor** and **City Council** and their designated representatives:

1. Fulfillment of Loan Conditions/Requirements

The Commission will administer the **City's** revolving loan fund in accordance with applicable local, state, and federal provisions to assure the **City's** legal responsibilities with respect to said revolving loan fund. The Commission will also undertake to prepare and submit all materials required to satisfy any conditions of the loan made from said revolving loan fund, including State-required Environmental Review Procedures (if required).

2. Reporting

The Commission will establish and maintain a revolving loan filing system and shall prepare and submit all necessary reports, forms, schedules, accounts, and all other documents required or requested by local, state, and federal governments as well as authorized auditing firms/personnel for program compliance purposes. The Commission will render reports, either oral or written, at the request of the **City** concerning the Commission's activities and program progress to either the **City** or other groups.

Day-to-Day Coordination of Activities

The Commission shall at all times during this AGREEMENT provide the **City** and its representatives with day-to-day coordination of program activities and shall, as often as required, provide needed information to accomplish the intent of this AGREEMENT.

THE CITY AGREES:

Payment for Revolving Loan Fund Administration Services

The estimated annual sum of this agreement is **\$2,100.00** to be billed on a monthly basis. The Commission shall bill the **City** for services rendered for the prior month. Said payments shall be made by the **City** within 30 days following each statement. Statements will reflect expenses to-date and the amount remaining in the contract and will be provided to the **City**. The **City** agrees to authorize payment for said services from local revolving loan funds or other local sources.

Program Coordination

The **City** pledges its support and assistance to the Commission in the day-to-day coordination of administration activities of the **City** under this AGREEMENT.

Performance Period

This contractual AGREEMENT shall be in effect from **December 1, 2006** until **November 30, 2007**.

Additional Services

Additional services not mentioned in this AGREEMENT shall be provided by the Commission upon request by the **City**, after a negotiated AGREEMENT addendum has been executed.

Other Provisions

1. **Termination:** This contract may be terminated by the **City** with or without cause. Under this event, the Commission shall be paid for all unpaid services rendered under this Agreement up to the date of this Agreement's termination, within thirty (30) days of the date of termination.
2. **Commission Not Liable:** The **City** shall save the Commission harmless from any and all claims, demands, and actions based upon or arising out of any services performed by the Commission, their associates, and their employers under this AGREEMENT, due to errors and omissions by the **City**.

THIS AGREEMENT constitutes the entire AGREEMENT between the parties hereto, and no changes or additions to said AGREEMENT shall be valid unless in writing and signed by the parties hereto. This AGREEMENT shall be interpreted and construed according to the laws of the State of Illinois.

IN WITNESS WHEREOF, the parties hereto have affixed their hands and seals this ____ day of _____, 2006.

FOR THE CITY:

FOR THE COMMISSION:

Mayor

CCRP & DC Commission Chairman

City Clerk

CCRP & DC Executive Director

(SEAL)

(SEAL)

Coles County Regional Planning & Development Commission
651 Jackson, Room 309
Charleston, IL 61920

Ph #: (217) 258-0521

November 17, 2006

Alan Gilmore,
City Administrator
City of Mattoon
208 N. 19th Street
Mattoon, IL 61938

RE: Coles County Regional Planning & Development Commission *FY 2007*
(CCRP&DC) Administration & Coordination Services Agreement;
City of Mattoon Community Development Assistance Program
(CDAP) **Revolving Loan Fund**

Dear Alan,

As you may be aware, Coles County Regional Planning & Development Commission's (CCRP&DC's) Fiscal Year begins December 1st of each calendar year. Accordingly, please find enclosed two (2) originals of the above referenced Agreement. Both the amount and wording are the same as last year's. We recommend review by the Municipal Attorney prior to passage. *Please note that payments for RLF Administration Services should come from the Revolving Loan Fund itself.* Also, charges against the Agreement are made *only* for services actually rendered. After passage and signature, please return *both* agreements and *one* resolution. We will execute both original agreements and return one to you. At your request, we will send a member of our staff to explain our services. We thank you for your past support and look forward to serving your community in the coming year.

As always, please don't hesitate to contact me at 348-0521 should you have any questions on this. Thanks, Alan, for your help with this.

Sincerely,

Doug McDermid
Executive Director

Cc: Preston Owen, City Attorney

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2006-5222

**AN ORDINANCE APPROVING MINOR CHANGES TO THE PROPOSED I-57
EAST REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN AND
PROJECT**

WHEREAS, the City Council of the City of Mattoon held a public hearing on the proposed I-57 East Redevelopment Project Area Redevelopment Plan and Project on November 21, 2006; and

WHEREAS, the City Council finds and determines that it is appropriate and desirable to modify the proposed Redevelopment Project Area by reducing the amount of the territory contained therein; and

WHEREAS, the City Council finds and determines that said modification does not (1) add additional parcels of property to the proposed Redevelopment Project Area, (2) substantially affect the general land uses proposed in the Redevelopment Plan and Project, (3) substantially change the nature of or extend the life of the Redevelopment Plan and Project, or (4) increase the number of inhabited residential units to be displaced from the Redevelopment Project Area, as measured from the time of creation of the Redevelopment Project Area, to a total of more than 10; and

WHEREAS, the City Council further finds and determines that pursuant to the applicable provisions of the Tax Increment Allocation Redevelopment Act (the "TIF Act"), it is not necessary to hold any further public hearings on the proposed I-57 East Redevelopment Project Area Redevelopment Plan and Project with respect to the reduction in size of the proposed Redevelopment Project Area:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The facts and statements contained in the preamble to this Ordinance are hereby found to be true and correct and area hereby adopted as part of this Ordinance.

Section 2. The legal description of the proposed Redevelopment Project Area, as originally submitted to the City in the proposed Redevelopment Plan and Project, and as set forth in Exhibit A attached hereto, is hereby modified as set forth in the legal description attached hereto as Exhibit B.

Section 3. Upon the adoption of this Ordinance and an Ordinance Approving a Redevelopment Plan and Project for the I-57 East Redevelopment Project Area in the City of Mattoon, Coles County, Illinois (including the revised legal

description), the City shall cause notice of such changes to be given to each affected taxing district and registrant on the interested parties registry, and by publication in the *Journal Gazette* no later than December 15, 2006, and in accordance with the applicable provisions of the TIF Act. A form of the notice is attached hereto as Exhibit C.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Upon motion by _____, seconded by _____, adopted this ____ day of _____, 2006, by a roll call vote, as follows:

AYES (Names): _____

NAYS (Names): _____

ABSENT (Names): _____

Approved this ____ day of _____, 2006.

Charlie E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on _____, 2006.

EXHIBIT A

LEGAL DESCRIPTION OF I-57 REDEVELOPMENT PROJECT AREA

LEGAL DESCRIPTION

That part of the North ½, of Section 16, Township 12 North, Range 8 East of the Third Principal Meridian, Coles County, Illinois, described as follows:

Commencing at the Intersection of the East line of the Northwest ¼, of the Northeast ¼, of said Section 16 with the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence S 81°04'20"W. – 61.66 feet along said southerly right of way line to the point of beginning; thence S 0°42'25"E. – 505.80 feet along the West right of way line of the Lerna Road; thence N 89°17'35"E. – 5.00 feet along said right of way; thence S 0°42'25"E. – 400.00 feet along said right of way line; thence N 89°17'35"E. – 10.00 feet along said right of way line; thence S 0°42'25"E. – 1386.34 feet along said right of way line to a point on the northerly right of way line of Illinois Route 16; thence S 89°27'50"W. – 2782.89 feet along said northerly right of way line to a point on the easterly right of way line of F.A. Interstate 57; thence N 50°41'55"W. – 275.40 feet along said right of way line; thence N 24°36'46"W. – 315.60 feet along said right of way line; thence N 53°41'46"W. – 192.09 feet along said right of way line; thence N 68°39'12"W. – 223.89 feet along said right of way line; thence N. 30°32'03"W. – 158.83 feet along said right of way line; thence N 2°57'02"W. – 319.26 feet along said right of way line to a point on the north line of the South ½, of the Northwest ¼, of said Section 16; thence N 87°49'29"E. – 1499.28 feet along said North line; thence N 2°39'58"W. – 822.10 feet to a point on the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence N 81°04'20"E. – 2110.11 feet along said southerly right of way line to the point of beginning, containing 133.51 acres, more or less.

AND ALSO

Commencing at the Northeast Corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence south 0°17'32" West [bearings based on F.A.I Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16'20" West a distance of 1329.10 feet to a point in the West right of way line of Lerna Road and the point of beginning; thence continue South 88°16'20" West, a distance of 3580.55 feet to a point in the East right of way line of F.A.I. Route 04 (I-57); thence north 04°25'49" East along said right of way line, a distance of 234.86 feet; thence North 17°12'02" East along said right of way line, a distance of 317.84 feet; thence North 47°55'25" East along said right of way line, a distance of 404.60 feet; thence North 23°17'43" East along said right of way line, a distance of 352.33 feet; thence North 73°03'10" East along the South right of way line at F.A. Rt. 17 (IL Rt. 16), a distance of 286.40 feet; thence North 86°24'38" East along said right of way line, a distance of 500.62 feet; thence North 85°50'22" East along said right of way line, a distance of 250.45 feet; thence North 89°16'21" East along said right of way line, a distance of 1923.01 feet; thence South 32°09'38" East along said right of way line, a

distance of 152.36 feet; thence South 00°29'12" East along the West right of way of Lerna Road, a distance of 317.39 feet; thence South 02°22'33" West along said right of way a distance of 200.25 feet; thence South 00°29'12" East along said right of way line a distance of 300.00 feet; thence South 05°13'26" West along said right of way line, a distance of 100.50 feet; thence South 05°03'38" East along said right of way line, a distance of 136.00 feet to the point of beginning, containing 91.531 acres more or less.

AND ALSO

The Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) and a part of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) and a part of the Southeast (SE ¼) of the Southwest Quarter (SW ¼) all in Section 16 (16), Township Twelve (12) North, Range Eight (8) East of the Third Principal Meridian, more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence South 0°17'32" West [bearings based on F.A.I. Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16'20" West a distance of 1329.10 feet to a point in the West right of way line of Lerna Road and the point of beginning; thence South 05°03'38" East along said West right of way line of Lerna Road, a distance of 114.80 feet; thence South 00°29'12" East along said West right of way line of Lerna Road, 1218.21 feet to a point on the South line of said Section 16; thence South 88°09'57" West along said South line of Section 16, a distance of 1875.50 feet; thence North 00°11'59" West a distance of 1336.49 feet; thence North 88°16'20" East a distance of 1859.57 feet to the point of beginning, containing 58.503 acres more or less.

AND ALSO

Including the northeast and southeast interchange between Interstate 57 and State Route 16 and State Route 16 and its rights-of way between Interstate 57 and the Lerna Road, containing 37.42 acres more or less.

These tracts of land contain a total of 320.964 acres, more or less.

EXHIBIT B

LEGAL DESCRIPTION OF I-57 REDEVELOPMENT PROJECT AREA

LEGAL DESCRIPTION

That part of the North ½, of Section 16, Township 12 North, Range 8 East of the Third Principal Meridian, Coles County, Illinois, described as follows:

Commencing at the Intersection of the East line of the Northwest ¼, of the Northeast ¼, of said Section 16 with the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence S 81°04'20"W. – 61.66 feet along said southerly right of way line to the point of beginning; thence S 0°42'25"E. – 505.80 feet along the West right of way line of the Lerna Road; thence N 89°17'35"E. – 5.00 feet along said right of way; thence S 0°42'25"E. – 400.00 feet along said right of way line; thence N 89°17'35"E. – 10.00 feet along said right of way line; thence S 0°42'25"E. – 1386.34 feet along said right of way line to a point on the northerly right of way line of Illinois Route 16; thence S 89°27'50"W. – 2782.89 feet along said northerly right of way line to a point on the easterly right of way line of F.A. Interstate 57; thence N 50°41'55"W. – 275.40 feet along said right of way line; thence N 24°36'46"W. – 315.60 feet along said right of way line; thence N 53°41'46"W. – 192.09 feet along said right of way line; thence N 68°39'12"W. – 223.89 feet along said right of way line; thence N. 30°32'03"W. – 158.83 feet along said right of way line; thence N 2°57'02"W. – 319.26 feet along said right of way line to a point on the north line of the South ½, of the Northwest ¼, of said Section 16; thence N 87°49'29"E. – 1499.28 feet along said North line; thence N 2°39'58"W. – 822.10 feet to a point on the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence N 81°04'20"E. – 2110.11 feet along said southerly right of way line to the point of beginning, containing 133.51 acres, more or less.

AND ALSO

Commencing at the Northeast Corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence south 0°17'32" West [bearings based on F.A.I Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16'20" West a distance of 1329.10 feet to a point in the West right of way line of Lerna Road and the point of beginning; thence continue South 88°16'20" West, a distance of 3580.55 feet to a point in the East right of way line of F.A.I. Route 04 (I-57); thence north 04°25'49" East along said right of way line, a distance of 234.86 feet; thence North 17°12'02" East along said right of way line, a distance of 317.84 feet; thence North 47°55'25" East along said right of way line, a distance of 404.60 feet; thence North 23°17'43" East along said right of way line, a distance of 352.33 feet; thence North 73°03'10" East along the South right of way line at F.A. Rt. 17 (IL Rt. 16), a distance of 286.40 feet; thence North 86°24'38" East along said right of way line, a distance of 500.62 feet; thence North 85°50'22" East along said right of way line, a distance of 250.45 feet; thence North 89°16'21" East along said right of way line, a distance of 1923.01 feet; thence South 32°09'38" East along said right of way line, a

distance of 152.36 feet; thence South 00°29'12" East along the West right of way of Lerna Road, a distance of 317.39 feet; thence South 02°22'33" West along said right of way a distance of 200.25 feet; thence South 00°29'12" East along said right of way line a distance of 300.00 feet; thence South 05°13'26" West along said right of way line, a distance of 100.50 feet; thence South 05°03'38" East along said right of way line, a distance of 136.00 feet to the point of beginning, containing 91.531 acres more or less.

AND ALSO

Part of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) and a part of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) a part of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) all in Section Sixteen (16), Township Twelve (12) North, Range Eight (8) East of the Third Principal Meridian, more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence South 00°17'32" West [bearings based on F.A.I Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16'20" West a distance of 1329.10 feet to a point in the former West right of way line of Lerna Road and the point of beginning; thence South 05°03'38" East along said former West right of way line of Lerna Road, a distance of 114.80 feet; thence South 00°29'12" East along said West right of way line of Lerna Road, 185.20 feet; thence North 80°30'00" West a distance of 700.00 feet; thence South 44°27'16" West a distance of 540.00 feet; thence South 77°08'02" West a distance of 820.00 feet; thence North 00°11'59" a distance of 696.00 feet; thence North 88°16'20" East a distance of 1859.57 feet to the point of beginning, containing 18.035 acres more or less.

AND ALSO

Including the northeast and southeast interchange between Interstate 57 and State Route 16 and State Route 16 and its rights-of way between Interstate 57 and the Lerna Road, containing 37.42 acres more or less.

These tracts of land contain a total of 280.496 acres, more or less.

EXHIBIT C

FORM OF NOTICE OF MINOR CHANGES TO THE I-57 EAST REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN AND PROJECT – FOR MAILING OF NOTICE

PLEASE TAKE NOTICE that on December 5, 2006, the City Council of the City of Mattoon, Illinois adopted Ordinance No. 2006-5222, entitled “An Ordinance Approving Minor Changes to the Proposed I-57 East Redevelopment Project Area Redevelopment Plan and Project.” In said Ordinance, the City Council found and determined that it is appropriate and desirable to modify the proposed I-57 East Redevelopment Project Area by reducing the amount of the territory contained therein. The City Council further found and determined that said modification does not 1) add parcels of property to the proposed redevelopment project area, 2) substantially affect the general land uses proposed in the Redevelopment Plan and Project, 3) substantially change the nature of or extend life of Redevelopment Plan and Project, or 4) increase the number of inhabited residential units to be displaced from the Redevelopment Project Area as measured from the time of creation of the redevelopment project area, to a total of more than 10.

Notice is further given that the legal description of the proposed I-57 East Redevelopment Project Area, as originally submitted to the City and as set forth in Exhibit A to this Notice, was modified by the City in Ordinance No. 2006-5222, and as set forth in the legal description attached to said Ordinance and to this Notice as Exhibit B. A copy of Ordinance No. 2006-5222 is enclosed with this Notice and incorporated into this Notice by this reference. Copies of the following ordinances, which were adopted by the City Council on December 5, 2006 and which also pertain to the I-57 East Redevelopment Project Area, are also on file and available for public inspection at the office of the City Clerk, 208 N. 19th Street, Mattoon, Illinois.: Ordinance No 2006-5223, entitled “An Ordinance Approving A Redevelopment Plan and Project for the I-57 East Redevelopment Project Area in the City of Mattoon, Coles County, Illinois,” Ordinance 2006-5224, entitled “An Ordinance Designating the I-57 East Redevelopment Project Area for the City of Mattoon, Coles County, Illinois,” and Ordinance No. 2006-5225 entitled “An Ordinance Adopting Tax Increment Allocation Financing within the I-57 East Redevelopment Project Area.”

Dated: _____, 2006

/s/ Susan J. O'Brien

City Clerk

EXHIBIT C - CONTINUED

***FORM OF NOTICE OF MINOR CHANGES TO THE I-57 EAST REDEVELOPMENT
PROJECT AREA REDEVELOPMENT PLAN AND PROJECT- FOR PUBLICATION***

PLEASE TAKE NOTICE that on December 5, 2006, the City Council of the City of Mattoon, Illinois adopted Ordinance No. 2006-5222, entitled “An Ordinance Approving Minor Changes to the Proposed I-57 East Redevelopment Project Area Redevelopment Plan and Project.” In said Ordinance, the City Council found and determined that it is appropriate and desirable to modify the proposed I-57 East Redevelopment Project Area by reducing the amount of the territory contained therein. The City Council further found and determined that said modification does not 1) add parcels of property to the proposed redevelopment project area, 2) substantially affect the general land uses proposed in the Redevelopment Plan and Project, 3) substantially change the nature of or extend life of Redevelopment Plan and Project, or 4) increase the number of inhabited residential units to be displaced from the Redevelopment Project Area as measured from the time of creation of the redevelopment project area, to a total of more than 10.

Notice is further given that the legal description of the proposed I-57 East Redevelopment Project Area, as originally submitted to the City and as set forth in Exhibit A to this Notice, was modified by the City in Ordinance No. 2006-5222, and as set forth in the legal description attached to said Ordinance and to this Notice as Exhibit B. A copy of Ordinance No. 2006-5222 is on file and available for public inspection at the office of the City Clerk, 208 N. 19th Street, Mattoon, Illinois. Copies of the following ordinances, which were adopted by the City Council on December 5, 2006 and which also pertain to the I-57 East Redevelopment Project Area, are also on file and available for public inspection at the office of the City Clerk, 208 N. 19th Street, Mattoon, Illinois: Ordinance No. 2006-5223, entitled “An Ordinance Approving A Redevelopment Plan and Project for the I-57 East Redevelopment Project Area in the City of Mattoon, Coles County, Illinois,” Ordinance 2006-5224, entitled “An Ordinance Designating the I-57 East Redevelopment Project Area for the City of Mattoon, Coles County, Illinois,” and Ordinance No. 2006-5225 entitled “An Ordinance Adopting Tax Increment Allocation Financing within the I-57 East Redevelopment Project Area.”

Dated: _____, 2006

/s/ Susan J. O'Brien
City Clerk

CITY OF MATTOON, ILLINOIS
ORDINANCE NO. 2006 - 5223

***AN ORDINANCE APPROVING A REDEVELOPMENT
PLAN AND PROJECT FOR THE
I-57 EAST REDEVELOPMENT PROJECT AREA IN THE CITY OF
MATTOON, COLES COUNTY, ILLINOIS***

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Authority. This Ordinance is adopted pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, as amended (the “Act”).

Section 2. Recitals.

(a) The City of Mattoon, Coles County, Illinois (the “City”) is a duly constituted, organized and validly existing municipality within the meaning of Section 1 of Article VII of the 1970 Constitution of the State of Illinois, and is operating under the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, as amended.

(b) The City desires to implement tax increment allocation financing pursuant to the Act for a proposed redevelopment project located within the corporate limits of the City and within the proposed I-57 East Redevelopment Project Area legally described in *Exhibit A* to this Ordinance (the “Redevelopment Project Area”). The proposed Redevelopment Project Area contains approximately 280.496 acres and is generally located within the following boundaries of the City: Starting at the intersection of the south line of Section 16, Township 12 North, Range 8 East, and Lerna Road and proceeding north along Lerna Road 1,033.01 feet to the point of beginning; then north 80 degrees 30 minutes 00 seconds west a distance of 700.00 feet, then south 44 degrees 27 minutes 16 seconds west a distance of 540.00 feet, then south 77 degrees 08 minutes 02 seconds west a distance of 820.00 feet, then north 0 degrees 11 minutes 59 seconds west a distance of 696.00 feet, then west to the east right-of-way line of Interstate 57, then north along the east right-of-way line of Interstate 57 passing and including its southeast and northeast interchange with State Route 16 to the northwestern property line of property identified as “Topa Farms, Inc./Ashbrook Subdivision”, then following the north and northwest property lines of the “Topa Farms, Inc./Ashbrook Subdivision” to the Lerna Road, then along the east side of Lerna Road south across Route 16 to a point 1,033.01 feet north of the intersection of Section 16, Township 12 North, Range 8 East, and Lerna Road then west across Lerna Road to the point of beginning. A map of the boundaries of the Redevelopment Project Area is attached as *Exhibit B*.

(c) The proposed plan and project are fully described in the document entitled “Tax Increment Finance City of Mattoon, Coles County, I-57 East

Redevelopment Project Area” dated September 2006, prepared by Ehlers & Associates Inc. (the “**Plan Consultant**”), a copy of which is attached to this Ordinance as **Exhibit C** and made a part of this Ordinance (the “**Redevelopment Project and Plan**”).

(d) Pursuant to Section 11-74.4-5(b) of the Act, on October 12, 2006, the City convened a joint review board (the “Joint Review Board”) to consider the proposal for the Redevelopment Project and Plan. The Joint Review Board consisted of a representative of the City, representatives of Lake Land Community College District, Coles County, Mattoon Community Unit School District #2, Coles County Airport Authority and a “public member” selected by a majority vote of the other members of the Joint Review Board at its initial meeting. Neither the Illinois Department of Commerce and Community Affairs (“DCCA”) nor any of the other taxing districts having territory within the Redevelopment Project Area sent representatives to the meeting. The initial and only meeting of the Joint Review Board was held on October 12, 2006, pursuant to notice mailed to DCCA and the applicable taxing districts by certified mail on September 28, 2006, in substantially the form attached to this Ordinance as **Exhibit D** and made a part of this Ordinance. The Joint Review Board reviewed the public record, the various planning documents (including drafts of the Redevelopment Project and Plan and the Eligibility Report mentioned below) and the proposed ordinance approving the Redevelopment Project and Plan to be adopted by the City Council of the City. At its meeting on October 12, 2006, the Joint Review Board voted (by a vote of six in favor and none against) to approve the Redevelopment Project and Plan based on its finding that the Redevelopment Project Area satisfies the eligibility criteria set forth in the Act.

(e) Pursuant to Section 11-74.4-5(a) of the Act, the City Council caused a public hearing to be held relative to the proposed Redevelopment Project and Plan and the designation of the proposed Redevelopment Project Area commencing at 7:00 p.m. on November 21, 2006, at the City Council Chambers, City Hall, 208 N. 19th Street, Mattoon, Illinois 61938-2836. At the public hearing, all interested persons and affected taxing districts were able to file written objections to, and were heard orally in respect to, any issues embodied in the notice of the public hearing mentioned in paragraph (f) below. At or prior to the public hearing, no protests and objections were filed with the City.

(f) Due notice of such public hearing was given pursuant to Section 11-74.4-6 of the Act, said notice being given to taxing districts by certified mail on September 28, 2006, and to DCCA by certified mail on September 28, 2006, in substantially the form attached to this Ordinance as **Exhibit D**, to taxpayers by certified mail on October 5, 2006, in substantially the form attached to this Ordinance as **Exhibit E**, and by publication on October 27, 2006 and November 3, 2006, of a notice of public hearing in the prescribed form in the *Journal Gazette*. A publisher’s affidavit with newspaper clipping attached evidencing such publication is attached to this Ordinance as **Exhibit F**. Public notice of the public hearing in the form attached as **Exhibit E** was mailed on October 5, 2006, by first class mail, addressed to (i) each resident within 750 feet of the boundaries of the proposed Redevelopment Project Area and (ii) each City resident and organization that has properly registered in the Interested Parties Registry of the City established for the proposed Redevelopment Project Area.

(g) The proposed Redevelopment Project and Plan sets forth the conditions in the proposed Redevelopment Project Area qualifying the area as a “conservation area” or a “blighted area,” as defined in the Act, and the City Council has reviewed and is familiar with the proposed Redevelopment Project Area and Redevelopment Project and Plan. The City Council also carefully reviewed a report entitled “Tax Increment Finance Program City of Mattoon, Coles County, Illinois I-57 East Redevelopment Project Area Eligibility Report” prepared by the Plan Consultant, dated September, 2006, a copy of which is attached to this Ordinance as *Exhibit G* and made a part of this Ordinance (the “**Eligibility Study**”).

(h) The City Council has reviewed the conditions pertaining to lack of private investment in the proposed Redevelopment Project Area, to determine whether private development would take place in the proposed Redevelopment Project Area as a whole without the adoption of the proposed Redevelopment Project and Plan, in a manner which will alleviate, in whole or in part, the condition of blight as set forth below.

(i) The City Council has reviewed the conditions pertaining to real property in the proposed Redevelopment Project Area to determine whether contiguous parcels of real property and improvements on such parcels in the proposed Redevelopment Project Area would be substantially benefited by the proposed Redevelopment Project and Plan improvements.

(j) The City Council has reviewed all documents and materials relating to the development of the City as a whole, including the City Comprehensive Plan, to determine whether the proposed Redevelopment Project and Plan conform to such documents.

(k) The City Council has reviewed the conditions pertaining to the use of the real property within the proposed Redevelopment Project Area to determine whether and to what extent the program of improvements in the Redevelopment Project and Plan will displace residents of inhabited residential units within the proposed Redevelopment Project Area.

(l) The Redevelopment Project and Plan sets forth an assessment of any financial impact of the proposed Redevelopment Project and Plan on or any increased demand for services from any taxing district affected by the proposed Redevelopment Project and Plan and any program to address such financial impact or increased demand.

(m) The City Council, by ordinance adopted on November 19, 2002, established an “interested parties” registry for each redevelopment project area created under the Act and not terminated by the City, whether then existing or created after the date of the adoption of that ordinance, including the proposed Redevelopment Project Area, and adopted registration rules for such registries, all as required by the Act. The City Council by ordinance adopted on August 15, 2006, amended the registration rules and created an interested parties registry for the proposed Redevelopment Project Area. The City Administrator of the City, acting as the delegate of the Mayor pursuant to the

August 15, 2006 ordinance, established an interested parties registry for the proposed Redevelopment Project Area and caused notice of the establishment of that registry and of the registration rules to be published one time in the *Journal Gazette* on August 18, 2006. A publisher's affidavit with newspaper clipping attached evidencing such publication is attached to this Ordinance as ***Exhibit H***.

(n) That on December 5, 2006, the City Council of the City of Mattoon, Illinois adopted Ordinance No. 2006-5222, entitled "An Ordinance Approving Minor Changes to the Proposed I-57 East Redevelopment Project Area Redevelopment Plan and Project." In said Ordinance, the City Council found and determined that it is appropriate and desirable to modify the proposed I-57 East Redevelopment Project Area by reducing the amount of the territory contained therein. The City Council further found and determined that said modification does not 1) add parcels of property to the proposed redevelopment project area, 2) substantially affect the general land uses proposed in the Redevelopment Plan and Project, 3) substantially change the nature of or extend life of Redevelopment Plan and Project, or 4) increase the number of inhabited residential units to be displaced from the Redevelopment Project Area as measured from the time of creation of the redevelopment project area, to a total of more than 10.

Section 3. Findings. The City Council finds and determines as follows:

(a) There exist conditions which cause the area proposed to be designated as the I-57 East Redevelopment Project Area to be classified as a "blighted area" as defined in Section 11-74.4-3(a) of the Act. The Redevelopment Project Area is a "vacant" area (as that term is used in Section 11-74.4-3(a)(3) of the Act). The area, prior to its designation, is subject to surface water that discharges from all or part of the area and contributes to flooding within the same watershed. The factor and condition described above is present and that presence has been documented to a meaningful extent in the hydrological study entitled "Mattoon Proposed I-57 East TIF District Storm Water Analysis, Christopher B. Burke Engineering, Ltd." This factor is clearly present within the intent of the Act, and is reasonably distributed throughout the proposed Redevelopment Project Area. The existence of this factor within the proposed Redevelopment Project Area is detrimental to the public safety, health, welfare and morals. The proposed I-57 East Redevelopment Project and Plan provides for facilities and improvements to contribute to the alleviation of all or part of the flooding.

The land in the proposed I-57 East Redevelopment Project Area has been used for commercial agricultural purposes within the last five years, but was subdivided in 2005 in accordance with the provisions of the Plat Act. Accordingly, the I-57 East Redevelopment Project Area meets the definition for eligible vacant land according to the Act.

(b) The proposed Redevelopment Project Area on the whole has for many years not been subject to growth and redevelopment through investment by private enterprise in a manner which would alleviate, in whole or in part, downstream flooding in the watershed, and is not reasonably anticipated to be developed in a manner which

would alleviate, in whole or in part, such condition without the adoption of the proposed Redevelopment Project and Plan.

Private investment and redevelopment has not occurred to the extent necessary to eliminate the blighting influence (flooding in the watershed) that currently exists. The applicable ordinances of the City do not require development of the proposed Redevelopment Project Area in a manner which would alleviate, in whole or in part, the downstream flooding. Normal development will not solve the drainage problems in the watershed, including most especially the Loxa community. The Redevelopment Project is not reasonably expected to be developed without the efforts and leadership of the City, including the adoption of the proposed Redevelopment Project and Plan and the creation of incremental property taxes under the Act. But for the adoption of the proposed Redevelopment Plan, the Redevelopment Project Area is not reasonably expected to be redeveloped by private enterprise in a manner which will alleviate, in whole or in part, flooding in the watershed. In the absence of City-sponsored redevelopment initiatives the blighting condition (flooding in the watershed) will continue to exist.

Based on the current vacant land, lack of private investment without assistance, and the documented problems in the Redevelopment Project Area, the City finds that the Redevelopment Project Area, with its accompanying flood reduction infrastructure and facilities would not reasonably be developed without the use of incremental tax revenue.

Without private investment and the presence of tax increment financing, the community will not have funds to provide the infrastructure necessary for the containment of runoff in the Redevelopment Project Area. Flooding created by the Redevelopment Project Area will continue.

(c) The proposed Redevelopment Project and Plan conform to the comprehensive plan for the development of the City as a whole.

(d) The proposed Redevelopment Project Area is not less in the aggregate than 1-1/2 acres and includes only those contiguous parcels of real property and improvements which will be substantially benefited by the proposed Redevelopment Project and Plan improvements, and which will alleviate the condition of flooding in the watershed.

(e) The Redevelopment Project and Plan will not result in the displacement of residents from 10 or more inhabited residential units. There are no residential units in the Redevelopment Project Area.

(f) As set forth in the Redevelopment Project and Plan and in the testimony at the public hearing, the Redevelopment Project and Plan establishes the estimated dates for final completion of the redevelopment project described in the Redevelopment Project and Plan and retirement of obligations issued to finance redevelopment project costs, which dates are not later than December 31 of the year in which the payment to the City Treasurer under Section 11-74.4-8(b) of the Act is to be

made with respect to *ad valorem* taxes levied in the 23rd calendar year after the date of the adoption of this Ordinance, *provided* that no such obligations may mature later than twenty (20) years from their date of issuance.

(g) The estimated date for final completion of the projects and activities set forth in the proposed Redevelopment Project and Plan is not later than December 31, 2029.

(h) The estimated date for retirement of obligations, if any, incurred to finance redevelopment project costs is not later than December 31, 2030.

(i) The findings set forth in the Redevelopment Project and Plan are incorporated herein as if fully set forth.

Section 4. Approval of Redevelopment Project and Plan. The Redevelopment Project and Plan, as modified by Ordinance 2006-5222 on December 5, 2006, which was the subject matter of the hearing held November 21, 2006, is approved.

Section 5. Filing with County Clerk. The City Clerk is directed to file a certified copy of this Ordinance with the County Clerk of Coles County as soon as possible after the adoption and approval of this Ordinance.

Section 6. Invalid Portions are Severable. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 7. Superceder. All ordinances, resolutions, motions and orders in conflict with this Ordinance are repealed to the extent of such conflict.

Section 8. Effective Date. This Ordinance shall be in full force and effect immediately upon its passage and approval, as provided by law.

Upon motion by _____, seconded by _____, adopted this ____ day of _____, 2006, by a roll call vote, as follows:

AYES (Names): _____

NAYS (Names): _____

ABSENT (Names): _____

Approved this ____ day of _____, 2006.

Charlie E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on _____, 2006.

EXHIBIT A
TO
ORDINANCE NO. 2006 - 5223

LEGAL DESCRIPTION OF
I-57 EAST REDEVELOPMENT PROJECT AREA

EXHIBIT A

LEGAL DESCRIPTION OF I-57 REDEVELOPMENT PROJECT AREA

LEGAL DESCRIPTION

That part of the North ½, of Section 16, Township 12 North, Range 8 East of the Third Principal Meridian, Coles County, Illinois, described as follows:

Commencing at the Intersection of the East line of the Northwest ¼, of the Northeast ¼, of said Section 16 with the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence S 81°04'20"W. – 61.66 feet along said southerly right of way line to the point of beginning; thence S 0°42'25"E. – 505.80 feet along the West right of way line of the Lerna Road; thence N 89°17'35"E. – 5.00 feet along said right of way; thence S 0°42'25"E. – 400.00 feet along said right of way line; thence N 89°17'35"E. – 10.00 feet along said right of way line; thence S 0°42'25"E. – 1386.34 feet along said right of way line to a point on the northerly right of way line of Illinois Route 16; thence S 89°27'50"W. – 2782.89 feet along said northerly right of way line to a point on the easterly right of way line of F.A. Interstate 57; thence N 50°41'55"W. – 275.40 feet along said right of way line; thence N 24°36'46"W. – 315.60 feet along said right of way line; thence N 53°41'46"W. – 192.09 feet along said right of way line; thence N 68°39'12"W. – 223.89 feet along said right of way line; thence N. 30°32'03"W. – 158.83 feet along said right of way line; thence N 2°57'02"W. – 319.26 feet along said right of way line to a point on the north line of the South ½, of the Northwest ¼, of said Section 16; thence N 87°49'29"E. – 1499.28 feet along said North line; thence N 2°39'58"W. – 822.10 feet to a point on the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence N 81°04'20"E. – 2110.11 feet along said southerly right of way line to the point of beginning, containing 133.51 acres, more or less.

AND ALSO

Commencing at the Northeast Corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence south 0°17'32" West [bearings based on F.A.I Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16'20" West a distance of 1329.10 feet to a point in the West right of way line of Lerna Road and the point of beginning; thence continue South 88°16'20" West, a distance of 3580.55 feet to a point in the East right of way line of F.A.I. Route 04 (I-57); thence north 04°25'49" East along said right of way line, a distance of 234.86 feet; thence North 17°12'02" East along said right of way line, a distance of 317.84 feet; thence North 47°55'25" East along said right of way line, a distance of 404.60 feet; thence North 23°17'43" East along said right of way line, a distance of 352.33 feet; thence North 73°03'10" East along the South right of way line at F.A. Rt. 17 (IL Rt. 16), a distance of 286.40 feet; thence North 86°24'38" East along said right of way line, a distance of 500.62 feet; thence North 85°50'22" East along said right of way line, a distance of 250.45 feet; thence North 89°16'21" East along said right of way line, a distance of 1923.01 feet; thence South 32°09'38" East along said right of way line, a

distance of 152.36 feet; thence South 00°29'12" East along the West right of way of Lerna Road, a distance of 317.39 feet; thence South 02°22'33" West along said right of way a distance of 200.25 feet; thence South 00°29'12" East along said right of way line a distance of 300.00 feet; thence South 05°13'26" West along said right of way line, a distance of 100.50 feet; thence South 05°03'38" East along said right of way line, a distance of 136.00 feet to the point of beginning, containing 91.531 acres more or less.

AND ALSO

Part of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) and a part of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) a part of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) all in Section Sixteen (16), Township Twelve (12) North, Range Eight (8) East of the Third Principal Meridian, more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence South 00°17'32" West [bearings based on F.A.I Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16'20" West a distance of 1329.10 feet to a point in the former West right of way line of Lerna Road and the point of beginning; thence South 05°03'38" East along said former West right of way line of Lerna Road, a distance of 114.80 feet; thence South 00°29'12" East along said West right of way line of Lerna Road, 185.20 feet; thence North 80°30'00" West a distance of 700.00 feet; thence South 44°27'16" West a distance of 540.00 feet; thence South 77°08'02" West a distance of 820.00 feet; thence North 00°11'59" a distance of 696.00 feet; thence North 88°16'20" East a distance of 1859.57 feet to the point of beginning, containing 18.035 acres more or less.

AND ALSO

Including the northeast and southeast interchange between Interstate 57 and State Route 16 and State Route 16 and its rights-of way between Interstate 57 and the Lerna Road, containing 37.42 acres more or less.

These tracts of land contain a total of 280.496 acres, more or less.

EXHIBIT B
TO
ORDINANCE NO. 2006 - 5223

MAP OF I-57 EAST REDEVELOPMENT PROJECT AREA BOUNDARIES

[SEE ATTACHED]

Mattoon I-57 East Proposed TIF District

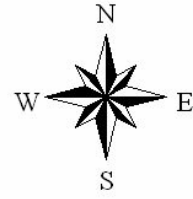


EXHIBIT C
TO
ORDINANCE NO. 2006 - 5223

REDEVELOPMENT PROJECT AND PLAN

[SEE ATTACHED]

EXHIBIT D
TO
ORDINANCE NO. 2006 - 5223

FORM OF PUBLIC NOTICE MAILED TO TAXING DISTRICTS AND DCCA

[SEE ATTACHED]

EXHIBIT D

NOTICE OF PUBLIC HEARING

EAST I-57 TAX INCREMENT FINANCEING DISTRICT

PLEASE TAKE NOTICE that the City Council of the City of Mattoon, Illinois, will hold a public hearing to consider a proposed Redevelopment Plan and Project, the designation of a redevelopment project area within the City of Mattoon, and the adoption of tax increment financing within that redevelopment project area. Adoption of a Redevelopment Plan and Project, designation of a redevelopment project area and adoption of tax increment financing will be pursuant to the provisions of the Tax Increment Allocation Redevelopment Act (the **Act**). The public hearing will be held on November 21, 2006, at 7:00 p.m. at the City Council Chambers, City Hall, 208 N. 19th Street, Mattoon, Illinois 61938-2838. If necessary, the hearing may be adjourned to another date without further notice other than a motion entered upon the minutes fixing the time and place of the subsequent hearing.

The property proposed to be designated as a redevelopment project area is generally located within the following boundaries of the City: Beginning at the intersection of the south line of Section 16, Township 12 North, Range 8 East, and Lerna Road and proceeding west along said south line of Section 16 1,875.50 feet, then north 1,336.49 feet, then west to the east right-of-way line of Interstate 57, then north along the east right-of-way line of Interstate 57 passing and including its southeast and northeast interchange with State Route 16 to the northwestern property line of property identified as "Topa Farms, Inc./Ashbrook Subdivision", then following the north and northwest property lines of the "Topa Farms, Inc./Ashbrook Subdivision" to the Lerna Road, then along the east side of Lerna Road south across Route 16 to the south line of Section 16, Township 12 North, Range 8 East, and is more particularly described in the legal description which is attached to this notice and made a part of it. At the time and place set forth above, all interested persons and affected taxing districts will be given an opportunity to file with the City Clerk written objections to and be heard concerning the proposed Redevelopment Plan and Project, the proposed designation of a redevelopment project area, and the adoption of tax increment financing within that redevelopment project area.

The proposed Redevelopment Plan and Project involves the redevelopment of the proposed redevelopment project area through tax increment financing and the other powers conferred upon the City by the Act, to reduce or eliminate those conditions which qualify the proposed redevelopment project area as a blighted area under the Act. The City proposes to undertake the redevelopment of the proposed redevelopment project area by reducing or eliminating those conditions that qualify the Redevelopment Project Area as a "blighted area", by including stormwater detention and retention facilities that will reduce flooding and at the same time increase community recreational opportunities and also including other infrastructure necessary to reduce

stormwater runoff within the watershed; encouraging a high-quality appearance of buildings, rights-of-way, and open spaces and encouraging high standards of design; strengthening the economic well-being of the Redevelopment Project Area and the City by increasing high-end business activity, tax base, job and recreational opportunities; assembling and subdividing land into parcels of sufficient shape and size for disposition and redevelopment in accordance with the Redevelopment Plan and Project and contemporary development needs and standards; stimulating private investment in appropriate new construction and the development of a hotel and conference center; achieving attractive development with a complementary mix of uses within the Redevelopment Project Area; providing needed public improvements or facilities in proper relationship to the projected demand for such facilities and in accordance with present-day design standards for such facilities, some of which will, in turn, result in reduced flooding in the watershed; and providing needed incentives to encourage a broad range of improvements. The proposed Redevelopment Plan and Project is more fully described in the “Tax Increment Finance Program City of Mattoon, Coles County, Illinois, I-57 East Redevelopment Project Area Redevelopment Plan and Project”, a copy of which is enclosed with this notice and incorporated into this notice by this reference.

All persons, including taxpayers, taxing districts and the Department of Commerce and Community Affairs, are invited to submit comments to the City of Mattoon concerning the proposed Redevelopment Plan and Project, the proposed designation of a redevelopment project area and the adoption of tax increment financing within that redevelopment project area at any time prior to the date and time of the hearing. Comments may be submitted to the City Clerk at the address given above.

Each community college district, local elementary school district and high school district or each local community unit school district, park district, library district, township, fire protection district and county (“**Local Government Unit**”) that has authority to directly levy taxes on the property within the proposed redevelopment project area is further notified that the first meeting of the joint review board required under the Act will be held on October 12, 2006, beginning at 2:00 o’clock p.m. at the City Council Chambers, City Hall, 208 N. 19th Street Mattoon, Illinois 61938. Local Government Units are requested to appoint members to the joint review board so that they can attend the initial board meeting. A copy of a draft of an eligibility report entitled “Tax Increment Finance Program City of Mattoon, Coles County, Illinois I-57 East Redevelopment Project Area Eligibility Report” and concerning the proposed redevelopment project area is enclosed with this notice. Taxing districts desiring further information should contact the City Administrator or Finance Director of the City at the above address.

Dated: September 19, 2006

/s/ Susan J. O’Brien

City Clerk

**LEGAL DESCRIPTION OF PROPOSED
REDEVELOPMENT PROJECT AREA**

LEGAL DESCRIPTION

That part of the North ½, of Section 16, Township 12 North, Range 8 East of the Third Principal Meridian, Coles County, Illinois, described as follows:

Commencing at the Intersection of the East line of the Northwest ¼, of the Northeast ¼, of said Section 16 with the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence S 81°04'20"W. – 61.66 feet along said southerly right of way line to the point of beginning; thence S 0°42'25"E. – 505.80 feet along the West right of way line of the Lerna Road; thence N 89°17'35"E. – 5.00 feet along said right of way; thence S 0°42'25"E. – 400.00 feet along said right of way line; thence N 89°17'35"E. – 10.00 feet along said right of way line; thence S 0°42'25"E. – 1386.34 feet along said right of way line to a point on the northerly right of way line of Illinois Route 16; thence S 89°27'50"W. – 2782.89 feet along said northerly right of way line to a point on the easterly right of way line of F.A. Interstate 57; thence N 50°41'55"W. – 275.40 feet along said right of way line; thence N 24°36'46"W. – 315.60 feet along said right of way line; thence N 53°41'46"W. – 192.09 feet along said right of way line; thence N 68°39'12"W. – 223.89 feet along said right of way line; thence N. 30°32'03"W. – 158.83 feet along said right of way line; thence N 2°57'02"W. – 319.26 feet along said right of way line to a point on the north line of the South ½, of the Northwest ¼, of said Section 16; thence N 87°49'29"E. – 1499.28 feet along said North line; thence N 2°39'58"W. – 822.10 feet to a point on the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence N 81°04'20"E. – 2110.11 feet along said southerly right of way line to the point of beginning, containing 133.51 acres, more or less.

AND ALSO

Commencing at the Northeast Corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence south 0°17'32" West [bearings based on F.A.I Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16'20" West a distance of 1329.10 feet to a point in the West right of way line of Lerna Road and the point of beginning; thence continue South 88°16'20" West, a distance of 3580.55 feet to a point in the East right of way line of F.A.I. Route 04 (I-57); thence north 04°25'49" East along said right of way line, a distance of 234.86 feet; thence North 17°12'02" East along said right of way line, a distance of 317.84 feet; thence North 47°55'25" East along said right of way line, a distance of 404.60 feet; thence North 23°17'43" East along said right of way line, a distance of 352.33 feet; thence North 73°03'10" East along the South right of way line at F.A. Rt. 17 (IL Rt. 16), a distance of 286.40 feet; thence North 86°24'38" East along said right of way line, a distance of 500.62 feet; thence North 85°50'22" East along said right of way line, a distance of 250.45 feet; thence North 89°16'21" East along said right of way line, a distance of 1923.01 feet; thence South 32°09'38" East along said right of way line, a distance of 152.36 feet; thence South 00°29'12" East along the West right of way of

Lerna Road, a distance of 317.39 feet; thence South 02°22'33" West along said right of way a distance of 200.25 feet; thence South 00°29'12" East along said right of way line a distance of 300.00 feet; thence South 05°13'26" West along said right of way line, a distance of 100.50 feet; thence South 05°03'38" East along said right of way line, a distance of 136.00 feet to the point of beginning, containing 91.531 acres more or less.

AND ALSO

The Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) and a part of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) and a part of the Southeast (SE ¼) of the Southwest Quarter (SW ¼) all in Section 16 (16), Township Twelve (12) North, Range Eight (8) East of the Third Principal Meridian, more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence South 0°17'32" West [bearings based on F.A.I. Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16'20" West a distance of 1329.10 feet to a point in the West right of way line of Lerna Road and the point of beginning; thence South 05°03'38" East along said West right of way line of Lerna Road, a distance of 114.80 feet; thence South 00°29'12" East along said West right of way line of Lerna Road, 1218.21 feet to a point on the South line of said Section 16; thence South 88°09'57" West along said South line of Section 16, a distance of 1875.50 feet; thence North 00°11'59" West a distance of 1336.49 feet; thence North 88°16'20" East a distance of 1859.57 feet to the point of beginning, containing 58.503 acres more or less.

AND ALSO

Including the northeast and southeast interchange between Interstate 57 and State Route 16 and State Route 16 and its rights-of way between Interstate 57 and the Lerna Road, containing 37.42 acres more or less.

These tracts of land contain a total of 320.964 acres, more or less.

EXHIBIT E
TO
ORDINANCE NO. 2006 - 5223

FORM OF PUBLIC NOTICE MAILED TO TAXPAYERS AND RESIDENTS

[SEE ATTACHED]

EXHIBIT E

NOTICE OF PUBLIC HEARING

EAST I-57 TAX INCREMENT FINANCEING DISTRICT

PLEASE TAKE NOTICE that the City Council of the City of Mattoon, Illinois, will hold a public hearing to consider a proposed Redevelopment Plan and Project, the designation of a redevelopment project area within the City of Mattoon, and the adoption of tax increment financing within that redevelopment project area. Adoption of a Redevelopment Plan and Project, designation of a redevelopment project area and adoption of tax increment financing will be pursuant to the provisions of the Tax Increment Allocation Redevelopment Act (the **Act**). The public hearing will be held on November 21, 2006, at 7:00 p.m. at the City Council Chambers, City Hall, 208 N. 19th Street, Mattoon, Illinois 61938-2838. If necessary, the hearing may be adjourned to another date without further notice other than a motion entered upon the minutes fixing the time and place of the subsequent hearing.

The property proposed to be designated as a redevelopment project area is generally located within the following boundaries of the City: Beginning at the intersection of the south line of Section 16, Township 12 North, Range 8 East, and Lerna Road and proceeding west along said south line of Section 16 1,875.50 feet, then north 1,336.49 feet, then west to the east right-of-way line of Interstate 57, then north along the east right-of-way line of Interstate 57 passing and including its southeast and northeast interchange with State Route 16 to the northwestern property line of property identified as "Topa Farms, Inc./Ashbrook Subdivision", then following the north and northwest property lines of the "Topa Farms, Inc./Ashbrook Subdivision" to the Lerna Road, then along the east side of Lerna Road south across Route 16 to the south line of Section 16, Township 12 North, Range 8 East, and is more particularly described in the legal description which is attached to this notice and made a part of it. At the time and place set forth above, all interested persons and affected taxing districts will be given an opportunity to file with the City Clerk written objections to and be heard concerning the proposed Redevelopment Plan and Project, the proposed designation of a redevelopment project area, and the adoption of tax increment financing within that redevelopment project area.

The proposed Redevelopment Plan and Project involves the redevelopment of the proposed redevelopment project area through tax increment financing and the other powers conferred upon the City by the Act, to reduce or eliminate those conditions which qualify the proposed redevelopment project area as a blighted area under the Act. The City proposes to undertake the redevelopment of the proposed redevelopment project area by reducing or eliminating those conditions that qualify the Redevelopment Project Area as a "blighted area", by including stormwater detention and retention facilities that will reduce flooding and at the same time increase community recreational opportunities and also including other infrastructure necessary to reduce

stormwater runoff within the watershed; encouraging a high-quality appearance of buildings, rights-of-way, and open spaces and encouraging high standards of design; strengthening the economic well-being of the Redevelopment Project Area and the City by increasing high-end business activity, tax base, job and recreational opportunities; assembling and subdividing land into parcels of sufficient shape and size for disposition and redevelopment in accordance with the Redevelopment Plan and Project and contemporary development needs and standards; stimulating private investment in appropriate new construction and the development of a hotel and conference center; achieving attractive development with a complementary mix of uses within the Redevelopment Project Area; providing needed public improvements or facilities in proper relationship to the projected demand for such facilities and in accordance with present-day design standards for such facilities, some of which will, in turn, result in reduced flooding in the watershed; and providing needed incentives to encourage a broad range of improvements. The proposed Redevelopment Plan and Project is more fully described in the “Tax Increment Finance Program City of Mattoon, Coles County, Illinois, I-57 East Redevelopment Project Area Redevelopment Plan and Project”, a copy of which is on file and available for public inspection at the office of the City Clerk, 208 N. 19th Street, Mattoon, Illinois.

All persons, including taxpayers, taxing districts and the Department of Commerce and Community Affairs, are invited to submit comments to the City of Mattoon concerning the proposed Redevelopment Plan and Project, the proposed designation of a redevelopment project area and the adoption of tax increment financing within that redevelopment project area at any time prior to the date and time of the hearing. Comments may be submitted to the City Clerk at the address given above.

Dated: September 19, 2006

/s/ Susan J. O'Brien
City Clerk

**LEGAL DESCRIPTION OF PROPOSED
REDEVELOPMENT PROJECT AREA**

LEGAL DESCRIPTION

That part of the North ½, of Section 16, Township 12 North, Range 8 East of the Third Principal Meridian, Coles County, Illinois, described as follows:

Commencing at the Intersection of the East line of the Northwest ¼, of the Northeast ¼, of said Section 16 with the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence S 81°04'20"W. – 61.66 feet along said southerly right of way line to the point of beginning; thence S 0°42'25"E. – 505.80 feet along the West right of way line of the Lerna Road; thence N 89°17'35"E. – 5.00 feet along said right of way; thence S 0°42'25"E. – 400.00 feet along said right of way line; thence N 89°17'35"E. – 10.00 feet along said right of way line; thence S 0°42'25"E. – 1386.34 feet along said right of way line to a point on the northerly right of way line of Illinois Route 16; thence S 89°27'50"W. – 2782.89 feet along said northerly right of way line to a point on the easterly right of way line of F.A. Interstate 57; thence N 50°41'55"W. – 275.40 feet along said right of way line; thence N 24°36'46"W. – 315.60 feet along said right of way line; thence N 53°41'46"W. – 192.09 feet along said right of way line; thence N 68°39'12"W. – 223.89 feet along said right of way line; thence N. 30°32'03"W. – 158.83 feet along said right of way line; thence N 2°57'02"W. – 319.26 feet along said right of way line to a point on the north line of the South ½, of the Northwest ¼, of said Section 16; thence N 87°49'29"E. – 1499.28 feet along said North line; thence N 2°39'58"W. – 822.10 feet to a point on the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence N 81°04'20"E. – 2110.11 feet along said southerly right of way line to the point of beginning, containing 133.51 acres, more or less.

AND ALSO

Commencing at the Northeast Corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence south 0°17'32" West [bearings based on F.A.I Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16'20" West a distance of 1329.10 feet to a point in the West right of way line of Lerna Road and the point of beginning; thence continue South 88°16'20" West, a distance of 3580.55 feet to a point in the East right of way line of F.A.I. Route 04 (I-57); thence north 04°25'49" East along said right of way line, a distance of 234.86 feet; thence North 17°12'02" East along said right of way line, a distance of 317.84 feet; thence North 47°55'25" East along said right of way line, a distance of 404.60 feet; thence North 23°17'43" East along said right of way line, a distance of 352.33 feet; thence North 73°03'10" East along the South right of way line at F.A. Rt. 17 (IL Rt. 16), a distance of 286.40 feet; thence North 86°24'38" East along said right of way line, a distance of 500.62 feet; thence North 85°50'22" East along said right of way line, a distance of 250.45 feet; thence North 89°16'21" East along said right of way line, a distance of 1923.01 feet; thence South 32°09'38" East along said right of way line, a distance of 152.36 feet; thence South 00°29'12" East along the West right of way of

Lerna Road, a distance of 317.39 feet; thence South 02°22'33" West along said right of way a distance of 200.25 feet; thence South 00°29'12" East along said right of way line a distance of 300.00 feet; thence South 05°13'26" West along said right of way line, a distance of 100.50 feet; thence South 05°03'38" East along said right of way line, a distance of 136.00 feet to the point of beginning, containing 91.531 acres more or less.

AND ALSO

The Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) and a part of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) and a part of the Southeast (SE ¼) of the Southwest Quarter (SW ¼) all in Section 16 (16), Township Twelve (12) North, Range Eight (8) East of the Third Principal Meridian, more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence South 0°17'32" West [bearings based on F.A.I. Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16'20" West a distance of 1329.10 feet to a point in the West right of way line of Lerna Road and the point of beginning; thence South 05°03'38" East along said West right of way line of Lerna Road, a distance of 114.80 feet; thence South 00°29'12" East along said West right of way line of Lerna Road, 1218.21 feet to a point on the South line of said Section 16; thence South 88°09'57" West along said South line of Section 16, a distance of 1875.50 feet; thence North 00°11'59" West a distance of 1336.49 feet; thence North 88°16'20" East a distance of 1859.57 feet to the point of beginning, containing 58.503 acres more or less.

AND ALSO

Including the northeast and southeast interchange between Interstate 57 and State Route 16 and State Route 16 and its rights-of way between Interstate 57 and the Lerna Road, containing 37.42 acres more or less.

These tracts of land contain a total of 320.964 acres, more or less.

EXHIBIT F
TO
ORDINANCE NO. 2006 - 5223

PUBLISHER'S AFFIDAVIT EVIDENCING PUBLISHED NOTICE OF PUBLIC HEARING

[SEE ATTACHED]

EXHIBIT G
TO
ORDINANCE NO. 2006 - 5223

The Eligibility Study is included as Exhibit II to the Redevelopment Project and Plan attached as ***Exhibit C*** to this Ordinance.

EXHIBIT H
TO
ORDINANCE NO. 2006 - 5223

***PUBLISHER'S AFFIDAVIT EVIDENCING PUBLISHED NOTICE OF INTERESTED PARTIES
REGISTRY***

[SEE ATTACHED]

STATE OF ILLINOIS)
) SS
COUNTY OF COLES)

CERTIFICATION OF ORDINANCE

I, the undersigned, certify that I am the duly qualified and acting City Clerk of the City of Mattoon, Coles County, Illinois (the “**City**”), and that as such official I am the keeper of the records and files of the City Council of the City (“**City Council**”).

I further certify that the foregoing is a full, true and complete copy of Ordinance No. 2006-5223 adopted at the regular meeting of the City Council held on the 5th day of December, 2006, entitled:

An Ordinance Approving a Redevelopment Project and
Plan For the I-57 East Redevelopment Project Area in the
City of Mattoon, Coles County, Illinois,

which ordinance was duly adopted at said meeting by a roll call vote of ___ in favor and ___ against, with ___ abstentions and ___ absent. At said meeting a quorum was present and acting throughout the meeting. Said ordinance has not been amended or repealed and remains in full force and effect.

I further certify that the deliberations of the City Council on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that a copy of the agenda for said meeting was posted at least 48 hours prior to the convening of the meeting at the meeting place and at my offices at City Hall, that said meeting was called and held in strict compliance with the provisions of the Illinois Open Meetings Act, as amended, and the Illinois Municipal Code, as amended, and that the City Council has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the City Council.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the City as of this _____ day of _____, 2006.

City Clerk

[SEAL]

CITY OF MATTOON, ILLINOIS
ORDINANCE NO. 2006 - 5224

***AN ORDINANCE DESIGNATING THE
I-57 EAST REDEVELOPMENT PROJECT AREA FOR THE CITY
OF MATTOON, COLES COUNTY, ILLINOIS***

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, AS FOLLOWS:

Section 9. Authority. This Ordinance is adopted pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, as amended (the “Act”).

Section 10. Recitals.

(a) The City of Mattoon, Coles County, Illinois (the “City”) is a duly constituted, organized and validly existing municipality within the meaning of Section 1 of Article VII of the 1970 Constitution of the State of Illinois, and is operating under the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*, as amended.

(b) The City Council of the City previously adopted and approved, by Ordinance No. 2006 - 5223, a Redevelopment Plan and Project for the I-57 East Redevelopment Project Area with respect to which a public hearing was held on November 21, 2006 (the “**Redevelopment Project and Plan**”).

(c) The City Council, pursuant to Ordinance No. 2006 - 5223, made findings of the existence of conditions which cause the area legally described in ***Exhibit A*** to this Ordinance to be classified as a “blighted area” and a “Redevelopment Project Area” pursuant to the Act.

(d) It is now necessary and desirable to designate the area referred to in the Redevelopment Project and Plan as a “Redevelopment Project Area” pursuant to the Act.

Section 11. Designation of Redevelopment Project Area. The area legally described in ***Exhibit A*** to this Ordinance is designated as the “I-57 East Redevelopment Project Area,” pursuant to Section 11-74.4-4 of the Act. The I-57 East Redevelopment Project Area contains approximately 280.496 acres and is generally located within the following boundaries of the City: Starting at the intersection of the south line of Section 16, Township 12 North, Range 8 East, and Lerna Road and proceeding north along Lerna Road 1,033.01 feet to the point of beginning; then north 80 degrees 30 minutes 00 seconds west a distance of 700.00 feet, then south 44 degrees 27 minutes 16 seconds west a distance of 540.00 feet, then south 77 degrees 08 minutes 02

seconds west a distance of 820.00 feet, then north 0 degrees 11 minutes 59 seconds west a distance of 696.00 feet, then west to the east right-of-way line of Interstate 57, then north along the east right-of-way line of Interstate 57 passing and including its southeast and northeast interchange with State Route 16 to the northwestern property line of property identified as "Topa Farms, Inc./Ashbrook Subdivision", then following the north and northwest property lines of the "Topa Farms, Inc./Ashbrook Subdivision" to the Lerna Road, then along the east side of Lerna Road south across Route 16 to a point 1,033.01 feet north of the intersection of Section 16, Township 12 North, Range 8 East, and Lerna Road then west across Lerna Road to the point of beginning. A map of the boundaries of the I-57 East Redevelopment Project Area is attached as ***Exhibit B***.

Section 12. Filing With County Clerk. The City Clerk is directed to file a certified copy of this Ordinance with the County Clerk of Coles County as soon as possible after the adoption and approval of this Ordinance.

Section 13. Invalid Portions are Severable. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect the validity or enforceability of any of the remaining provisions of this Ordinance.

Section 14. Superceder. All ordinances, resolutions, motions and orders in conflict with this Ordinance are repealed to the extent of such conflict.

Section 15. Effective Date. This Ordinance shall be in full force and effect immediately upon its passage and approval, as provided by law.

Upon motion by _____, seconded by _____, adopted this ____ day of _____, 2006, by a roll call vote, as follows:

AYES (Names): _____

NAYS (Names): _____

ABSENT (Names): _____

Approved this ____ day of _____, 2006.

Charlie E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on _____, 2006.

EXHIBIT A
TO
ORDINANCE NO. 2006 - 5224

LEGAL DESCRIPTION OF
I-57 EAST REDEVELOPMENT PROJECT AREA

EXHIBIT A

LEGAL DESCRIPTION OF I-57 REDEVELOPMENT PROJECT AREA

LEGAL DESCRIPTION

That part of the North ½, of Section 16, Township 12 North, Range 8 East of the Third Principal Meridian, Coles County, Illinois, described as follows:

Commencing at the Intersection of the East line of the Northwest ¼, of the Northeast ¼, of said Section 16 with the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence S 81°04'20"W. – 61.66 feet along said southerly right of way line to the point of beginning; thence S 0°42'25"E. – 505.80 feet along the West right of way line of the Lerna Road; thence N 89°17'35"E. – 5.00 feet along said right of way; thence S 0°42'25"E. – 400.00 feet along said right of way line; thence N 89°17'35"E. – 10.00 feet along said right of way line; thence S 0°42'25"E. – 1386.34 feet along said right of way line to a point on the northerly right of way line of Illinois Route 16; thence S 89°27'50"W. – 2782.89 feet along said northerly right of way line to a point on the easterly right of way line of F.A. Interstate 57; thence N 50°41'55"W. – 275.40 feet along said right of way line; thence N 24°36'46"W. – 315.60 feet along said right of way line; thence N 53°41'46"W. – 192.09 feet along said right of way line; thence N 68°39'12"W. – 223.89 feet along said right of way line; thence N. 30°32'03"W. – 158.83 feet along said right of way line; thence N 2°57'02"W. – 319.26 feet along said right of way line to a point on the north line of the South ½, of the Northwest ¼, of said Section 16; thence N 87°49'29"E. – 1499.28 feet along said North line; thence N 2°39'58"W. – 822.10 feet to a point on the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence N 81°04'20"E. – 2110.11 feet along said southerly right of way line to the point of beginning, containing 133.51 acres, more or less.

AND ALSO

Commencing at the Northeast Corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence south 0°17'32" West [bearings based on F.A.I Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16'20" West a distance of 1329.10 feet to a point in the West right of way line of Lerna Road and the point of beginning; thence continue South 88°16'20" West, a distance of 3580.55 feet to a point in the East right of way line of F.A.I. Route 04 (I-57); thence north 04°25'49" East along said right of way line, a distance of 234.86 feet; thence North 17°12'02" East along said right of way line, a distance of 317.84 feet; thence North 47°55'25" East along said right of way line, a distance of 404.60 feet; thence North 23°17'43" East along said right of way line, a distance of 352.33 feet; thence North 73°03'10" East along the South right of way line at F.A. Rt. 17 (IL Rt. 16), a distance of 286.40 feet; thence North 86°24'38" East along said right of way line, a distance of 500.62 feet; thence North 85°50'22" East along said right of way line, a distance of 250.45 feet; thence North 89°16'21" East along said right of way line, a distance of 1923.01 feet; thence South 32°09'38" East along said right of way line, a

distance of 152.36 feet; thence South 00°29'12" East along the West right of way of Lerna Road, a distance of 317.39 feet; thence South 02°22'33" West along said right of way a distance of 200.25 feet; thence South 00°29'12" East along said right of way line a distance of 300.00 feet; thence South 05°13'26" West along said right of way line, a distance of 100.50 feet; thence South 05°03'38" East along said right of way line, a distance of 136.00 feet to the point of beginning, containing 91.531 acres more or less.

AND ALSO

Part of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) and a part of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) a part of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) all in Section Sixteen (16), Township Twelve (12) North, Range Eight (8) East of the Third Principal Meridian, more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence South 00°17'32" West [bearings based on F.A.I Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16'20" West a distance of 1329.10 feet to a point in the former West right of way line of Lerna Road and the point of beginning; thence South 05°03'38" East along said former West right of way line of Lerna Road, a distance of 114.80 feet; thence South 00°29'12" East along said West right of way line of Lerna Road, 185.20 feet; thence North 80°30'00" West a distance of 700.00 feet; thence South 44°27'16" West a distance of 540.00 feet; thence South 77°08'02" West a distance of 820.00 feet; thence North 00°11'59" a distance of 696.00 feet; thence North 88°16'20" East a distance of 1859.57 feet to the point of beginning, containing 18.035 acres more or less.

AND ALSO

Including the northeast and southeast interchange between Interstate 57 and State Route 16 and State Route 16 and its rights-of way between Interstate 57 and the Lerna Road, containing 37.42 acres more or less.

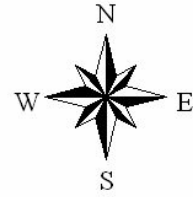
These tracts of land contain a total of 280.496 acres, more or less.

EXHIBIT B
TO
ORDINANCE NO. 2006 - 5224

MAP OF
I-57 EAST REDEVELOPMENT PROJECT AREA BOUNDARIES

(SEE ATTACHED)

Mattoon I-57 East Proposed TIF District



STATE OF ILLINOIS)
) SS
COUNTY OF COLES)

CERTIFICATION OF ORDINANCE

I, the undersigned, certify that I am the duly qualified and acting City Clerk of the City of Mattoon, Coles County, Illinois (the “**City**”), and that as such official I am the keeper of the records and files of the City Council of the City (the “**City Council**”).

I further certify that the foregoing is a full, true and complete copy of Ordinance No. ____ adopted at the regular meeting of the City Council held on the ____ day of _____, 2006, entitled:

An Ordinance Designating the I-57 East Redevelopment
Project Area for the City of Mattoon, Coles County,
Illinois,

which ordinance was duly adopted at said meeting by a roll call vote of ____ in favor and ____ against, with ____ abstentions and ____ absent. At said meeting a quorum was present and acting throughout the meeting. Said ordinance has not been amended or repealed and remains in full force and effect.

I further certify that the deliberations of the City Council on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that a copy of the agenda for said meeting was posted at least 48 hours prior to the convening of the meeting at the meeting place and at my offices at City Hall, that said meeting was called and held in strict compliance with the provisions of the Illinois Open Meetings Act, as amended, and the Illinois Municipal Code, as amended, and that the City Council has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the City Council.

IN WITNESS WHEREOF, I hereto affix my official signature and the seal of the City as of this ____ day of _____, 2006.

City Clerk

[SEAL]

CITY OF MATTOON, ILLINOIS
ORDINANCE NO. 2006 - 5225

***AN ORDINANCE ADOPTING TAX INCREMENT
ALLOCATION FINANCING WITHIN THE
I-57 EAST REDEVELOPMENT PROJECT AREA***

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS AS FOLLOWS:

Section 16. Authority. This Ordinance is adopted pursuant to the Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, as amended (the “Act”).

Section 17. Recitals.

(a) The City of Mattoon, Coles County, Illinois (the “City”) is a duly constituted, organized and validly existing municipality within the meaning of Section 1 of Article VII of the 1970 Constitution of the State of Illinois, and is operating under the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, as amended.

(b) The City Council previously adopted Ordinance No. 2006 - 5223 and Ordinance No. 2006 - 5224 approving a “redevelopment plan and project” and designating a “redevelopment project area” pursuant to the provisions of the Act with respect to the I-57 East Redevelopment Project Area and has otherwise complied with all other conditions precedent required by the Act.

Section 18. Adoption of Tax Increment Allocation Financing. Tax increment allocation financing, as that concept is defined and set out in the Act, is adopted with respect to the I-57 East Redevelopment Plan and Project adopted and approved pursuant to Ordinance No. 2006 - 5223 (the “**Redevelopment Plan and Project**”) with respect to the I-57 East Redevelopment Project Area described in *Exhibit A* to this Ordinance, which was designated pursuant to Ordinance No. 2006 - 5224 (the “**Redevelopment Project Area**”), for the purpose of (i) paying “redevelopment project costs” (as defined in the Act) with respect to the Redevelopment Project Area as described in the Redevelopment Project and Plan and (ii) paying debt service on obligations of the City issued under the Act for the purpose of paying such redevelopment project costs. The proposed Redevelopment Project Area contains approximately 280.496 acres and is generally located within the following boundaries in the City: Starting at the intersection of the south line of Section 16, Township 12 North, Range 8 East, and Lerna Road and proceeding north along Lerna Road 1,033.01 feet to the point of beginning; then north 80 degrees 30 minutes 00 seconds west a distance of

700.00 feet, then south 44 degrees 27 minutes 16 seconds west a distance of 540.00 feet, then south 77 degrees 08 minutes 02 seconds west a distance of 820.00 feet, then north 0 degrees 11 minutes 59 seconds west a distance of 696.00 feet, then west to the east right-of-way line of Interstate 57, then north along the east right-of-way line of Interstate 57 passing and including its southeast and northeast interchange with State Route 16 to the northwestern property line of property identified as “Topa Farms, Inc./Ashbrook Subdivision”, then following the north and northwest property lines of the “Topa Farms, Inc./Ashbrook Subdivision” to the Lerna Road, then along the east side of Lerna Road south across Route 16 to a point 1,033.01 feet north of the intersection of Section 16, Township 12 North, Range 8 East, and Lerna Road then west across Lerna Road to the point of beginning. A map of the boundaries of the Redevelopment Project Area is attached as *Exhibit B*.

Section 19. Division of Ad Valorem Taxes. The *ad valorem* taxes, if any, arising from the levies upon taxable real property in the Redevelopment Project Area by taxing districts and tax rates determined in the manner provided in paragraph (c) of Section 11-74.4-9 of the Act each year after the effective date of this Ordinance until redevelopment project costs and all obligations of the City issued to finance redevelopment project costs have been paid, shall be divided as follows:

- (a) That portion of taxes levied upon each taxable lot, block, tract or parcel of real property which is attributable to the lower of (i) the current equalized assessed value, or (ii) the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the Redevelopment Project Area shall be allocated to and when collected shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing.
- (b) That portion, if any, of such taxes which is attributable to the increase in the current equalized assessed valuation of each lot, block, tract or parcel of real property in the Redevelopment Project Area, over and above the initial equalized assessed value of each lot, block, tract or parcel of real property in the Redevelopment Project Area, shall be allocated to and when collected shall be paid to the City Treasurer who shall deposit such funds in the special fund created in Section 5 below and called “The Special Tax Allocation Fund for the City of Mattoon I-57 East Redevelopment Project Area” for the purposes set forth in the Redevelopment Project and Plan, including paying “redevelopment project costs” as defined in Section 11-74.4-3 of the Act and “obligations” (as defined in Section 11-74.4-3 of the Act) incurred in the payment thereof.

Section 20. Establishment of Special Tax Allocation Fund. Pursuant to the provisions of Section 11-74.4-8 of the Act, there is established a special fund of the

City called "The Special Tax Allocation Fund for the City of Mattoon I-57 East Redevelopment Project Area."

Section 21. Filing of Ordinance. A certified copy of this Ordinance shall be filed with the County Clerk of Coles County, Illinois (the "**County Clerk**") as soon as possible after the adoption and approval of this Ordinance.

Section 22. Determination and Certification of Total Initial Equalized Assessed Value.

(a) As provided in Section 11-74.4-9 of the Act, the County Clerk is requested to determine, as of the date of adoption of this ordinance, (1) the most recently ascertained equalized assessed value of each lot, block, tract or parcel of real property within the Redevelopment Project Area from which shall be deducted the homestead exemptions provided by Sections 19.23-1 and 19.23-1a of the Revenue Act of 1939, which value shall be the "initial equalized assessed value" of each such piece of property, and (2) the total equalized assessed value of all taxable real property within the Redevelopment Project Area, by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract or parcel of real property within the Redevelopment Project Area, from which shall be deducted the homestead exemptions provided by Section 19.23-1 and 19.23-1a of the Revenue Act of 1939, which amount shall be the "total initial equalized assessed value" of the taxable real property within the Redevelopment Project Area. The equalized assessed values for Assessment Year 2005 shall be used in determining the foregoing.

(b) The County Clerk is requested to certify the amount determined pursuant to Section 7(a)(2) of this Ordinance as the "initial equalized assessed value" of the taxable real property within the Redevelopment Project Area and to notify the City of the amount so determined and certified as soon after such determination and certification have been made as is convenient.

Section 23. Invalid Portions are Severable. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 24. Superceder. All ordinances, resolutions, motions and orders in conflict with this Ordinance are repealed to the extent of such conflict.

Section 25. Effective Date. This Ordinance shall be in full force and effect immediately upon its passage and approval, as provided by law.

Upon motion by _____, seconded by _____, adopted this ____ day of _____, 2006, by a roll call vote, as follows:

AYES (Names): _____

NAYS (Names):

ABSENT (Names):

Approved this ____ day of _____, 2006.

Charlie E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on _____, 2006.

EXHIBIT A
TO
ORDINANCE NO. 2006 - 5225

LEGAL DESCRIPTION OF
I-57 EAST REDEVELOPMENT PROJECT AREA

EXHIBIT A

LEGAL DESCRIPTION OF I-57 REDEVELOPMENT PROJECT AREA

LEGAL DESCRIPTION

That part of the North ½, of Section 16, Township 12 North, Range 8 East of the Third Principal Meridian, Coles County, Illinois, described as follows:

Commencing at the Intersection of the East line of the Northwest ¼, of the Northeast ¼, of said Section 16 with the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence S 81°04'20"W. – 61.66 feet along said southerly right of way line to the point of beginning; thence S 0°42'25"E. – 505.80 feet along the West right of way line of the Lerna Road; thence N 89°17'35"E. – 5.00 feet along said right of way; thence S 0°42'25"E. – 400.00 feet along said right of way line; thence N 89°17'35"E. – 10.00 feet along said right of way line; thence S 0°42'25"E. – 1386.34 feet along said right of way line to a point on the northerly right of way line of Illinois Route 16; thence S 89°27'50"W. – 2782.89 feet along said northerly right of way line to a point on the easterly right of way line of F.A. Interstate 57; thence N 50°41'55"W. – 275.40 feet along said right of way line; thence N 24°36'46"W. – 315.60 feet along said right of way line; thence N 53°41'46"W. – 192.09 feet along said right of way line; thence N 68°39'12"W. – 223.89 feet along said right of way line; thence N. 30°32'03"W. – 158.83 feet along said right of way line; thence N 2°57'02"W. – 319.26 feet along said right of way line to a point on the north line of the South ½, of the Northwest ¼, of said Section 16; thence N 87°49'29"E. – 1499.28 feet along said North line; thence N 2°39'58"W. – 822.10 feet to a point on the southerly right of way line of the former C.C.C. & St. Louis Railroad; thence N 81°04'20"E. – 2110.11 feet along said southerly right of way line to the point of beginning, containing 133.51 acres, more or less.

AND ALSO

Commencing at the Northeast Corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence south 0°17'32" West [bearings based on F.A.I Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16'20" West a distance of 1329.10 feet to a point in the West right of way line of Lerna Road and the point of beginning; thence continue South 88°16'20" West, a distance of 3580.55 feet to a point in the East right of way line of F.A.I. Route 04 (I-57); thence north 04°25'49" East along said right of way line, a distance of 234.86 feet; thence North 17°12'02" East along said right of way line, a distance of 317.84 feet; thence North 47°55'25" East along said right of way line, a distance of 404.60 feet; thence North 23°17'43" East along said right of way line, a distance of 352.33 feet; thence North 73°03'10" East along the South right of way line at F.A. Rt. 17 (IL Rt. 16), a distance of 286.40 feet; thence North 86°24'38" East along said right of way line, a distance of 500.62 feet; thence North 85°50'22" East along said right of way line, a distance of 250.45 feet; thence North 89°16'21" East along said right of way line, a distance of 1923.01 feet; thence South 32°09'38" East along said right of way line, a

distance of 152.36 feet; thence South 00°29'12" East along the West right of way of Lerna Road, a distance of 317.39 feet; thence South 02°22'33" West along said right of way a distance of 200.25 feet; thence South 00°29'12" East along said right of way line a distance of 300.00 feet; thence South 05°13'26" West along said right of way line, a distance of 100.50 feet; thence South 05°03'38" East along said right of way line, a distance of 136.00 feet to the point of beginning, containing 91.531 acres more or less.

AND ALSO

Part of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) and a part of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) a part of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) all in Section Sixteen (16), Township Twelve (12) North, Range Eight (8) East of the Third Principal Meridian, more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter (SE ¼) of said Section Sixteen (16); thence South 00°17'32" West [bearings based on F.A.I Route 04 (I-57) R.O.W. plat] a distance of 1331.09 feet along the East line of said Section Sixteen (16); thence South 88°16'20" West a distance of 1329.10 feet to a point in the former West right of way line of Lerna Road and the point of beginning; thence South 05°03'38" East along said former West right of way line of Lerna Road, a distance of 114.80 feet; thence South 00°29'12" East along said West right of way line of Lerna Road, 185.20 feet; thence North 80°30'00" West a distance of 700.00 feet; thence South 44°27'16" West a distance of 540.00 feet; thence South 77°08'02" West a distance of 820.00 feet; thence North 00°11'59" a distance of 696.00 feet; thence North 88°16'20" East a distance of 1859.57 feet to the point of beginning, containing 18.035 acres more or less.

AND ALSO

Including the northeast and southeast interchange between Interstate 57 and State Route 16 and State Route 16 and its rights-of way between Interstate 57 and the Lerna Road, containing 37.42 acres more or less.

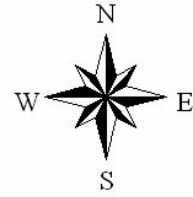
These tracts of land contain a total of 280.496 acres, more or less.

EXHIBIT B
TO
ORDINANCE NO. 2006 - 5225

MAP OF
I-57 EAST REDEVELOPMENT PROJECT AREA BOUNDARIES

(SEE ATTACHED)

Mattoon I-57 East Proposed TIF District



STATE OF ILLINOIS)
) SS
COUNTY OF COLES)

CERTIFICATION OF ORDINANCE

I, the undersigned, certify that I am the duly qualified and acting City Clerk of the City of Mattoon, Coles County, Illinois (the “**City**”), and that as such official I am the keeper of the records and files of the City Council of the City (the “**City Council**”).

I further certify that the foregoing is a full, true and complete copy of Ordinance No. ____ adopted at the regular meeting of the City Council held on the ____ day of _____, 2006, entitled:

An Ordinance Adopting Tax Increment Financing Within
the I-57 East Redevelopment Project Area,

which ordinance was duly adopted at said meeting by a roll call vote of _____ in favor and _____ against, with _____ abstentions and _____ absent. At said meeting a quorum was present and acting throughout the meeting. Said ordinance has not been amended or repealed and remains in full force and effect.

I further certify that the deliberations of the City Council on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that a copy of the agenda for said meeting was posted at least 48 hours prior to the convening of the meeting at the meeting place and at my offices at City Hall, that said meeting was called and held in strict compliance with the provisions of the Illinois Municipal Code, as amended, and that the City Council has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the City Council.

IN WITNESS WHEREOF, I hereto affix my official signature and the seal of the City as of this ____ day of _____, 2006.

City Clerk

[SEAL]

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2006-5226

AN ORDINANCE AMENDING SECTIONS § 35.15 – § 35.17 OF THE MATTOON CODE OF ORDINANCES TO PRESCRIBE PROCUREMENT PROCEDURES

WHEREAS, it's been discovered that Mattoon's Code of Ordinances regarding procurement procedures are inconsistent with procedures mandated by 65 ILCS 5/4-5-11 and 65 ILCS 5/8-9, the governing state statutes; and

WHEREAS, the local code should conform to the state statutes to mitigate risk of having contracts declared null and void.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. Section §35.15 of Chapter 35 of the Code of Ordinances of the City of Mattoon is hereby repealed and reenacted as follows:

§ 35.15 COST ESTIMATES; SPECIFICATIONS

- (A) Except as otherwise provided in this Chapter, all contracts, of whatever character, pertaining to public improvement, or the maintenance of the public property of the municipality involving an outlay of \$1,500 or more, shall be based upon cost estimates and specifications to be approved by the council. When cost estimates exceed \$20,000, contracts shall be awarded by procedures specified by Section §35.16 of this Chapter. This Section applies to expenditures for which shall be payable out of the governmental, enterprise and internal service funds of the municipality or any special funds under the control of any board of managers, board of trustees or directors appointed by general law or ordinances of the municipality.
- (B) "Public improvement, or the maintenance of the public property" for the purposes of this Chapter means any permanent improvement upon real property owned by the municipality.

Section 2. Section §35.16 of Chapter 35 of the Code of Ordinances of the City of Mattoon is hereby repealed and reenacted as follows:

§ 35.16 PROCUREMENT PROCEDURES

Any work or other public improvement which is not to be paid for in whole or in part by special assessment or special taxation, when the expense thereof will exceed \$20,000, shall be procured as follows:

(A) If a construction contract:

- (1) By a contract let to the lowest responsible bidder after advertising for bids, in the manner provided by Section §35.17 of this Chapter, except that any construction contract may be entered into by the proper officers without advertising for bids, if authorized by a vote of 4 of the 5 council members elected; or
- (2) If authorized by a vote of 4 of the 5 council members elected: the Commissioner of Public Works or other proper officers to be designated by ordinance, may superintend and cause to be carried out the construction of the work or other public improvement by employing exclusively for the performance of all manual labor thereon, laborers and artisans whom the city shall pay by the day or hour, but all material of the value of \$20,000 and upward used in the construction of the work or other public improvement, shall be purchased by contract let to lowest responsible bidder in the manner prescribed by Section §35.17 this Chapter.

(B) Except as otherwise provided by this Section, supplies, equipment and services needed by the municipality valued at \$20,000 and upward shall generally be procured by contract let to the lowest responsible bidder after advertising for bids. Supplies, equipment and services needed by the municipality may be procured without advertising for bids upon a finding that it is in the best interest of the municipality, if authorized by a vote of 4 of the 5 council members elected.

(C) A contract for architectural, engineering or land surveying services shall be awarded without competitive bids in the manner and according to qualifications based selection procedures prescribed by state statute (50 ILCS 510/0.01-510/7).

(D) Departmental Commissioners have delegate authority to approve procurements valued less than \$20,000 without advertising for competitive bids.

(E) Breaking up procurements into smaller increments to avoid threshold amounts on advertising and bidding requirements is prohibited.

(F) Nothing in this Section shall apply to any contract by the municipality with the United States of America, the State of Illinois or any political subdivision of the state. Contracts with these entities may be may be entered into by the proper officers without advertising for bids, if authorized by a vote of 3 of the 5 council members elected.

(G) Where procedures applicable to expenditure of grant funds are prescribed by rules of the state or federal government or procedures applicable to the expenditure of motor fuel tax funds are prescribed by the Illinois Department of Transportation that may be more prescriptive than procedures defined in this Section, the most prescriptive procedures shall control.

Section 3. Section §35.17 of Chapter 35 of the Code of Ordinances of the City of Mattoon is hereby repealed and reenacted as follows:

§ 35.17 ADVERTISING FOR BIDS

- (A) Except as provided in Section §35.16 of this Chapter, the City Clerk shall advertise procurement contracts for bid at least once in at least one newspaper of general circulation within the municipality. Such notice shall contain a statement of the nature, character and extent of the procurement, referring to specifications on file, at the City Clerk's office, and the time and place of the bid opening.
- (B) The right to reject any or all bids received and the right to award the procurement to the bidder determined most advantageous to the municipality shall be contained in the bidding specifications and published with the advertisement for bids.
- (C) Bids may be advertised in other forms of vendor communication devoted to such services and/or sent to vendors who have registered for providing services and/or commodities to the municipality at the discretion of Departmental Directors.
- (D) Advertising of procurements shall NOT be required when services and commodities are acquired pursuant to joint purchasing agreements with other entities that advertise and seek competitive bids on behalf the municipality.

Section 4. Section §33.082 of Chapter 33 of the Code of Ordinances of the City of Mattoon is hereby repealed and reenacted as follows:

§ 33.082 DUTIES AND RESPONSIBILITIES.

- (A) The Board provides recommendations to the Public Works Director and the City Council on policy matters pertaining to the activities and functions of the several units of the Public Works Department including but not limited to: the Water, Sewer, Street, Drainage and Park Systems, Buildings and Grounds, Street Lighting, Sidewalk, Parking Lot and Equipment Maintenance.
- (B) The Board is enabled at its discretion to explore alternative methods for the delivery of services rendered by the Department. The results of any such findings and/or recommendations will be referred to the City Council whose members collectively have the sole authority to change or implement such findings and/or recommendations.
- (C) The Board shall establish procedures to provide the public with the opportunity to provide input on policies and development plans for the Public Works Department.
- (D) In reviewing planning, development and operation policies for the Public Works Department, the Board shall be guided by, and its recommendations shall be in conformity with applicable state and federal laws and regulations, as they may be amended from time to time.
- (E) Board recommendations for changes to the municipal code or prior resolutions of the City Council may only be placed into effect by an ordinance or resolution duly considered and adopted by the City Council.

- (F) The Board shall review the Public Works Director's requests for updates to the City's Capital Improvement Plan, Operating and Capital Budgets and make a report thereon to the City Council.
- (G) The Board shall review the Public Works Director's request for changes to user charges and shall strive to maintain a fee and rental structure for facilities and services to make the Department's operating budgets as self-sustaining as possible.
- (H) The Board shall review proposals and bids received for departmental procurements and capital improvement projects valued over \$20,000 and offer its recommendations to the City Council for the award of such procurements.

Section 5. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 6. This ordinance shall be effective upon its approval as provided by law.

Upon motion by _____, seconded by _____,
adopted this ____ day of _____, 2006, by a roll call vote, as follows:

AYES (Names): _____

NAYS (Names): _____

ABSENT (Names): _____

Approved this ____ day of _____, 2006.

Charlie E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on _____, 2006.

